

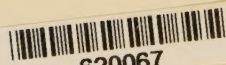
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HANSARD'S  
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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33° & 34° VICTORIÆ, 1870.

---

VOL. CCIII.

COMPRISING THE PERIOD FROM

THE ELEVENTH DAY OF JULY 1870,

TO

THE TENTH DAY OF AUGUST 1870.

---

*Fifth and Last Volume of the Session.*

---

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| Clause "A," (Permissive registration of improvements); after short debate, on Question? <i>agreed to</i> .                                                                                                                                                                                                                              |     |
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(In the Committee.)

|                                                                                                                                                                                                                                                                                                                                                                        |     |
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| (1.) Question again proposed, "That a sum, not exceeding £75,114, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments" ... .. | 368 |
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- (15.) £17,487, to complete the sum for Public Record Office.
- (16.) £3,563, to complete the sum for West India Loan Commission.
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| METROPOLIS—HYDE PARK—THE SERPENTINE—RESOLUTION— <i>Moved</i> ,<br>"That, in the opinion of this House, the bed of the Serpentine, after being thoroughly<br>cleared of mud, should be filled up so as to leave a maximum depth of six feet in the<br>summer months, reducible to four feet in the winter months, with an easy slope from<br>the banks, and an adequate supply of fresh water should be secured so as to cause,<br>during the summer months, a constant outfall at the lower end,"—( <i>Captain Grosvenor</i> ) | 535 |
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| Local Government Supplemental (No. 4) Bill—Ordered ( <i>Mr. Knatchbull-Hugessen</i> ,<br><i>Mr. Secretary Bruce</i> ); presented, and read the first time [Bill 226] ...                                                                                                                                                                                                                                                                                                                                                       | 548 |
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## COMMONS, WEDNESDAY, JULY 20.

### Game Laws Abolition Bill [Mr. TAYLOR] [Bill 73]—

|                                                                                                                                                              |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Order read, for resuming Adjourned Debate on Question [25th May],<br>That the Question then proposed, “That the Bill be now read a second time,” be now put. |     |
| <i>Previous Question</i> again proposed, “That that Question be now put,”—( <i>Mr. Hardcastle</i> ):—Debate <i>resumed</i> ... ..                            | 550 |
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### Contagious Diseases Acts (1866—1869) Repeal—

|                                                                                                                                                                                                                                                        |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Order read, for resuming Adjourned Debate on Question [24th May],<br>“That leave be given to bring in a Bill to repeal the Contagious Diseases Acts 1866—1869,”—( <i>Mr. William Fowler</i> ).<br>Question again proposed:—Debate <i>resumed</i> .. .. | 574 |
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#### STRANGERS ORDERED TO WITHDRAW—

Report of the Opinions of the several Members who addressed the House, so far as they can be ascertained.  
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## LORDS, THURSDAY, JULY 21.

### Settled Estates Bill (No. 191)—

|                                                                                                                                                      |     |
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| <i>Moved</i> , “That the Bill be now read 2 <sup>a</sup> ,”—( <i>The Earl of Airlie</i> ) .. ..                                                      | 607 |
| After short debate, Motion <i>agreed to</i> :—Bill read 2 <sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday next. |     |

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### Married Women’s Property Bill (No. 216)—

|                                                                                                                                                                                           |     |
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|                                                                               |     |
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## COMMONS, THURSDAY, JULY 21.

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| <b>Gun Licences Bill</b> [Bill 134]—                                                                                                                                                                                                    |     |
| <i>Moved</i> , "That the Bill be now read the third time" .. .. .                                                                                                                                                                       | 763 |
| Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(Mr. Cranford.)                                                                                          |     |
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SUPPLY—Order for Committee read; Motion made, and Question proposed,  
“That Mr. Speaker do now leave the Chair:”—

STATUE OF VISCOUNT GOUGH—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I.”—(*Colonel North*,)—instead thereof ... ..

770

Question proposed, “That the words proposed to be left out stand part of the Question:”—After debate, Amendment, by leave, *withdrawn*.

Another Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I., and that this House will make good the cost of the same,”—(*Colonel North*,)—instead thereof ...

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Question, “That the words proposed to be left out stand part of the Question,” put, and *negatived*:—Words *added*.

Main Question, as amended, put, and *agreed to*.

*Resolved*, That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I., and that this House will make good the cost of the same.

*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—CIVIL SERVICE ESTIMATES—*considered in Committee*.

(In the Committee.)

Motion made, and Question proposed, “That a sum, not exceeding £4,072, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Department of the Queen’s and Lord Treasurer’s Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue” ... ..

781

Motion made, and Question proposed, “That the Item of £217 13s. for Queen’s Plates, be omitted from the proposed Vote,”—(*Mr. Alderman Lusk*,)—After short debate, Question put, and *agreed to*.—Original Question, as amended, put, and *agreed to*.

(1.) £3,854 7s., to complete the sum for Exchequer and other Offices, Scotland.

(2.) £9,312, to complete the sum for Fishery Board, Scotland.—After short debate, Vote *agreed to* ... ..

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(3.) £4,867, to complete the sum for General Register Office, Scotland.

Resolutions to be reported.

Motion made, and Question proposed, “That a sum, not exceeding £4,046, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Board of Lunacy in Scotland” ... ..

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Resolutions to be reported upon *Monday* next; Committee also report Progress; to sit again *this day*.

SUPPLY—Order for Committee read; Motion made, and Question proposed.

“That Mr. Speaker do now leave the Chair:”—

SALARY OF THE FIRST LORD OF THE TREASURY—Observations, Mr. Lambert ... ..

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ARMY—OFFICERS OF VOLUNTEER CORPS—EYESHAM RIFLE CORPS—  
RESOLUTION—Amendment proposed,

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## SUPPLY—Order for Committee—ARMY—OFFICERS OF VOLUNTEER CORPS—*continued*.

To leave out from the word "That" to the end of the Question, in order to add the words "to make the appointment of Commissioned Officers in the Volunteer force dependant upon social position would, in the opinion of this House, be at variance with the principles on which that force has been established, and on the maintenance of which the hope of its permanence mainly depends,"—(*Mr. Taylor*),—instead thereof 785

Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Amendment, by leave, *withdrawn*.

## CASE OF MR. MASON—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Civil Service Commissioners be instructed to produce the evidence in opposition to that afforded by entries in the Calcutta Gazette and Calcutta University Calendar, on which they considered Mr. Borooah (who was a successful candidate on the occasion of the last competitive examination for employment in the Civil Service of India, to the exclusion of Mr. Mason), duly qualified according to the existing regulations as to age, to become a candidate,"—(*Mr. Scourfield*),—instead thereof ... 793

Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Amendment, by leave, *withdrawn*.

## BUSINESS OF THE HOUSE—TURNPIKE ACTS CONTINUANCE BILL—Observations, Mr. Whalley ; Reply, Mr. Assheton Cross .. .. 801

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

## SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

(4.) Question again proposed, "That a sum, not exceeding £4,046, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Board of Lunacy in Scotland" ... 803

Motion made, and Question proposed, "That a sum, not exceeding £2,546, &c."—(*Mr. M'Laren*).—After short debate, Question put, and *negatived*.—Original Question put, and *agreed to*.

(5.) £11,703, to complete the sum for Poor Law Commission, Scotland.—After short debate, Vote *agreed to* ... .. 805

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

## Census Bill [Bill 211]—

Order for Second Reading read .. .. 805

After debate, Bill read a second time, and *committed* for *Tuesday* next.

## LORDS, MONDAY, JULY 25.

FRANCE AND PRUSSIA — ALLEGED DRAFT TREATY — Question, Viscount Stratford De Redcliffe ; Answer, Earl Granville .. .. 819

## Irish Land Bill—

Commons amendment to Lords amendments and Commons reasons for disagreeing to one of the amendments made by the Lords to the amendments made by the Commons to the amendments made by the Lords *considered* (according to order) .. .. 819

Question *postponed* :—afterwards—Debate *resumed*.

After short debate, other Amendments *agreed to*.

Their Lordships' Amendment in Clause D to which the Commons disagree *insisted on* ; and a Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on the said Amendment.

## Elementary Education Bill (No. 235)—

*Moved*, "That the Bill be now read 2<sup>a</sup>,"—(*The Lord President*) .. 821

After long debate, Motion *agreed to* :—Bill read 2<sup>a</sup> accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

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## Judicial Committee Bill (No. 224)—

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After short debate, Bill read 3<sup>a</sup>.

*Moved*, to insert the following clause at the end of the Bill:—

“This Act shall continue in force until the first day in January one thousand eight hundred and seventy-three, and shall then cease and determine, subject and without prejudice to any appointment made or salary granted thereunder previous to the date,”—(*The Lord Cairns*.)

On Question? Their Lordships *divided*; Contents 16, Not-Contents 27;  
Majority 11:—*Resolved* in the *Negative*:—Bill *passed*, and sent to the Commons,

## COMMONS, MONDAY, JULY 25.

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| NAVY—ADMIRAL SIR WILLIAM HOPE JOHNSTONE—Question, Sir Graham Montgomery; Answer, Mr. Childers .. ..                                                                                                                              | 869 |
| CASE OF GEORGE MAW—Question, Mr. Gourley; Answer, Mr. Bruce ..                                                                                                                                                                   | 870 |
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| SUPPLY—Order for Committee read; Motion made, and Question proposed.<br>“That Mr. Speaker do now leave the Chair:”—                                                                                                              |     |
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## SUPPLY—Order for Committee—*continued*.

### OFFICE OF LORD PRIVY SEAL—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that, with a view to the reduction of public expenditure, it is expedient that all unnecessary offices should be suppressed; and that at a time when reductions are being made in the lower appointments in the public service, it is fitting that the sinecure office of Lord Privy Seal should be abolished,"—(*Sir Charles Dilke*,)—instead thereof ... .. 885

After short debate, Question put, "That the words proposed to be left out stand part of the Question?"—The House *divided*; Ayes 170, Noes 60; Majority 110.

ROEHAMPTON GATE—Observations, Mr. Alderman W. Lawrence; Reply, Mr. Ayrton:—Short debate thereon ... .. 893

NATIONAL GALLERY—Observations, Mr. Beresford Hope; Reply, Mr. Ayrton ... .. 894

SOUTH AFRICA—TRANSVAAL REPUBLIC AND ORANGE FREE STATE—Observations, Mr. R. N. Fowler; Reply, Mr. Monsell:—Short debate thereon ... .. 899

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

## SUPPLY—CIVIL SERVICE ESTIMATES—*considered in Committee*.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a Supplementary sum, not exceeding £10,170, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Buildings of the Houses of Parliament" ... .. 902

Motion made, and Question proposed, "That the Item of £7,160, for the Re-arrangement of the Refreshment Department, and for Alterations connected therewith, on the Basement and Principal Floors, and for the Erection of a Committee Room for the use of the House of Lords, with Entrances thereto from the Peers Corridors, be omitted from the proposed Vote,"—(*Mr. Bentinck*.)—After short debate, Question put, and *negatived*:—Original Question put, and *agreed to*.

(2.) £21,674, to complete the sum for Royal Palaces.

(3.) £80,437, to complete the sum for Royal Parks.—After short debate, Vote *agreed to* ... .. 913

(4.) £83,807, to complete the sum for Public Buildings.

(5.) £11,700, to complete the sum for Furniture of Public Offices.

(6.) £22,587, to complete the sum for the Houses of Parliament.—After short debate, Vote *agreed to* ... .. 913

(7.) £12,500, to complete the sum for the Public Offices Site.

(8.) £24,083, to complete the sum for the Public Record Repository.

(9.) £4,395, to complete the sum for the Chapter House, Westminster.—After short debate, Vote *agreed to* ... .. 918

(10.) £10,067, to complete the sum for Sheriff Court Houses, Scotland.

(11.) £11,200, to complete the sum for the University of London Buildings.

(12.) £13,250, to complete the sum for Glasgow University Buildings.

(13.) £8,500, to complete the sum for the Extension of Industrial Museum, Edinburgh.

(14.) £36,000, to complete the sum for Burlington House.—After short debate, Vote *agreed to* ... .. 918

(15.) £101,648, to complete the sum for the Post Office and Inland Revenue Buildings.

(16.) £9,774, to complete the sum for the British Museum Buildings.—After short debate, Vote *agreed to* ... .. 919

(17.) £40,762, to complete the sum for County Courts Buildings.

(18.) £80,100, to complete the sum for Survey of the United Kingdom.—After short debate, Vote *agreed to* ... .. 919

(19.) £7,600, Enlargement of Marlborough House.

(20.) £28,199, to complete the sum for Harbours, &c. under the Board of Trade.

(21.) £2,380, to complete the sum for Portland Harbour.

(22.) £6,500, to complete the sum for the Metropolitan Fire Brigade.

(23.) £23,913, to complete the sum for Rates on Government Property.

(24.) Motion made, and Question proposed, "That a sum, not exceeding £99,542, be granted to Her Majesty; to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Erection, Repairs, and Maintenance of the several Public Buildings in the Department of the Commissioners of Public Works in Ireland" ... .. 920

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## SUPPLY—CIVIL SERVICE ESTIMATES—continued.

- Motion made, and Question proposed, "That a sum, not exceeding £97,542, &c."—  
(*Mr. Lusk.*)—Motion, by leave, *withdrawn*.—Original Question put, and *agreed to*.
- (25.) £3,500, to complete the sum for the Ulster Canal. ... 921
- (26.) £10,010, to complete the sum for Lighthouses Abroad. ...
- (27.) £1,722, to complete the sum for Embassy Houses Abroad.—After short debate,  
Vote *agreed to* ... 921
- (28.) £41,610, to complete the sum for Embassy Houses, &c., Constantinople, China,  
Japan, and Tehran.—After short debate, Vote *agreed to* ... 921
- (29.) Motion made, and Question proposed, "That a sum, not exceeding £4,231, be  
granted to Her Majesty, to complete the sum necessary to defray the Charge which  
will come in course of payment during the year ending on the 31st day of March  
1871, for the Salaries of the Officers and Attendants of the Household of the Lord  
Lieutenant of Ireland and other Expenses" ... 921
- Motion made, and Question proposed, "That the Item of £1,562 for Queen's Plates, be  
omitted from the proposed Vote,"—(*Mr. Rylands.*)—After short debate, Question put :  
—The Committee *divided*; Ayes 61, Noes 81; Majority 20.—Original Question put,  
and *agreed to*.
- (30.) Motion made, and Question proposed, "That a sum, not exceeding £17,746, be  
granted to Her Majesty, to complete the sum necessary to defray the Charge which  
will come in course of payment during the year ending on the 31st day of March  
1871, for the Salaries and Expenses of the Offices of the Chief Secretary to the Lord  
Lieutenant of Ireland in Dublin and London, and Subordinate Departments" ... 923
- Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir James  
Elphinstone.*)—Motion, by leave, *withdrawn*.—Original Question put, and *agreed to*.
- (31.) £250, to complete the sum for Boundary Survey, Ireland. ...
- (32.) £43, to complete the sum for the Charitable Donations and Bequests Office, Ireland. ...
- (33.) £13,130, to complete the sum for the General Register Office, Ireland. ...
- (34.) £65,522, to complete the sum for the Poor Law Commission, Ireland. ...
- (35.) £2,992, to complete the sum for the Public Record Office, Ireland, &c. ...
- (36.) Motion made, and Question proposed, "That a sum, not exceeding £17,730, be  
granted to Her Majesty, to complete the sum necessary to defray the Charge which  
will come in course of payment during the year ending on the 31st day of March  
1871, for the Salaries and Expenses of the Office of Public Works in Ireland" ... 923
- Whereupon Motion made, and Question proposed, "That a sum, not exceeding £16,530,  
&c.,"—(*Mr. Bentinck.*)—Motion, by leave, *withdrawn*.—Original Question put, and  
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Resolutions to be reported *To-morrow*, at Two of the clock; Committee to  
sit again *To-morrow*, at Two of the clock.

## SUPPLY—REPORT—Resolutions [July 21, 22] reported .. 923

After short debate, First Resolution read a second time, and amended, by  
leaving out "£1,794," and inserting "£1,894,"—instead thereof.

Resolution, as amended, *agreed to* :—Subsequent Resolutions *agreed to*.

Petty Sessions Clerks (Ireland) Act (1858) Amendment Bill—Ordered (*Mr. Chi-  
chester Fortescue, Mr. Solicitor General for Ireland*); presented, and read the first time  
[Bill 236] ... 924

Census (Ireland) Bill—Ordered (*Mr. Chichester Fortescue, Mr. Secretary Bruce, Mr.  
Solicitor General for Ireland*); presented, and read the first time [Bill 237] ... 924

Shannon Navigation Bill—Select Committee nominated :—List of the Committee .. 924

## LORDS, TUESDAY, JULY 26.

FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY—Question, Lord Cairns;  
Answer, Earl Granville .. 924

## Clerical Disabilities Bill (No. 210)—

*Moved*, "That the Bill be now read 2<sup>a</sup>,"—(*The Lord Houghton*) .. 926

After short debate, Motion *agreed to* :—Bill read 2<sup>a</sup> accordingly. and com-  
mitted to a Committee of the Whole House on *Thursday* next.

## Settled Estates Bill (No. 191)—

House in Committee (according to Order) .. 929

Amendments made : The Report thereof to be received on *Thursday*  
next; and Bill to be *printed*, as amended. (No. 245.)

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## Abscinding Debtors Bill (No. 214)—

*Moved*, "That the Bill be now read 2<sup>a</sup>,"—(*The Lord Penzance*) .. 929  
After short debate, Motion *agreed to*:—Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Thursday* next.

## Army Enlistment Bill (No. 236)—

*Moved*, "That the Bill be now read 2<sup>a</sup>,"—(*The Lord Northbrook*) .. 930  
After short debate, Motion *agreed to*:—Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Monday* next.

## Sheriffs (Scotland) Act (1853) Amendment Bill (No. 243)—

*Moved*, "That the Bill be now read 2<sup>a</sup>,"—(*The Lord Chancellor*) .. 947  
After short debate, Motion *agreed to*:—Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Thursday* next.

## Irish Land Bill—

Report from the Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on one of their amendments to which the Commons have disagreed, read, and *agreed to*; and a message sent to the Commons to return the said Bill, with amendments and reasons ... .. 948

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THE NEW FOREST—Questions, Mr. Goldney, Viscount Enfield; Answers, Mr. Stansfeld .. 949

ARMY—MARTINI RIFLES—Question, Colonel Wilson-Patten; Answer, Mr. Cardwell .. 950

ARMY ENLISTMENT ACT — Question, Colonel Lindsay; Answer, Mr. Cardwell .. 950

UNITED STATES—THE "ALABAMA" CLAIMS—Question, Mr. W. M. Torrens; Answer, Mr. Gladstone .. 951

FRANCE AND HOLLAND—Question, Sir Tollemache Sinclair; Answer, Mr. Otway .. 952

HELGOLAND PILOTS—Question, Sir Tollemache Sinclair; Answer, Mr. Otway .. 952

INDIA—THE LATE INDIAN ARTILLERY—Question, Mr. Weguelin; Answer, Mr. Grant Duff .. 953

FENIAN PRISONERS—DR. MACDONNELL—Question, Mr. Callan; Answer, Mr. Bruce .. 954

FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY—Question, Mr. Samuelson; Answer, Mr. Gladstone .. 955

## Glebe Loans (Ireland) Bill [Bill 222]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Chichester Fortescue*) .. 956

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Candlish*):—After long debate, Question put, "That the word 'now' stand part of the Question:?"—The House *divided*; Ayes 161, Noes 58; Majority 103:—Main Question put, and *agreed to*:—Bill read a second time, and committed for *Thursday*.

SUPPLY—REPORT—Resolutions [July 25] *reported* .. 978  
After short debate, Resolutions *agreed to*.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:?"—

HARROW AND WINCHESTER SCHOOLS—RESOLUTION—Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient that the Revised Statutes for the constitution of the new Governing Bodies of Harrow and Winchester Schools



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should require that any person, in order to be qualified to be elected or nominated a member of the Governing Bodies, must be a member of the Church of England,"—  
*(Mr. Stevenson)*,—instead thereof                      ..                      ..

978

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House divided; Ayes 85, Noes 73; Majority 12.

PALACE OF WESTMINSTER—THE CENTRAL HALL—Question, Mr. Beresford Hope; Answer, Mr. Ayrton .. .. .

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FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY—Question, Mr. Baines ;  
 Answer, Mr. Gladstone .. .. .

988

Main Question, "That Mr. Speaker do now leave the Chair," put, and  
*agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered in Committee.*

(In the Committee.)

(1.) £29,615, to complete the sum for Law Charges.—After short debate, Vote *agreed to* 990

|                                                                                                  |     |     |     |     |     |
|--------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|
| (2.) £120,633, to complete the sum for Criminal Prosecutions.—After short debate, Vote agreed to | ... | ... | ... | ... | 992 |
|--------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|

(3.) £120,331, to complete the sum for the Court of Chancery.

(4.) £42,315, to complete the sum for the Common Law Courts.

(5.) £52,377, to complete the sum for the Bankruptcy Court.

(6.) Motion made, and Question proposed, "That a sum, not exceeding £353,632, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the County Courts" ... .. 992

After short debate, Motion made, and Question proposed, "That the Item of £14,724 for the Travelling Expenses of Judges be reduced by the sum of £5,000,"—(*Mr. Lusk.*)—After further short debate, Motion, by leave, *withdrawn*.—Original Question put, and *agreed to*.

(7.) £62,020, to complete the sum for the Probate Courts.

(8.) £9,200, to complete the sum for the Admiralty Court Registry.

(9.) £3,570, to complete the sum for the Land Registry Office.—After short debate,  
Vote agreed to

(10.) £16,899, to complete the sum for the Police Courts (London and Sheerness.)

(11.) £145,803, to complete the sum for the Metropolitan Police.—After short debate,

|                |     |     |     |     |
|----------------|-----|-----|-----|-----|
| Vote agreed to | ... | ... | ... | ... |
|----------------|-----|-----|-----|-----|

Resolutions to be reported *To-morrow*; Committee to sit again *To-morrow*.

**Census Bill** [Bill 211]—

Order for Committee read .. .. . 1002

After short debate, Bill *considered* in Committee.

After short time spent therein, Bill *reported*; as amended, to be considered upon *Thursday*.

**Sunday Trading Bill** (*Lords*) [Bill 68]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Sir Henry Hoare*,)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate resumed .. 1011

*Moved*, "That the Debate be now adjourned,"—(*Mr. Macfie* :)—Motion, by leave, *withdrawn*:—Question put, "That the words proposed to be left out stand part of the Question :"—The House *divided*: Ayes 22, Noes 15; Majority 7:—Main Question put:—The House *divided*: Ayes 22, Noes 9; Majority 13.

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## Queen Anne's Bounty (Superannuation) Bill [Bill 114]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Bouverie*) .. 1012  
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Rylands*):—After long debate, Question put, "That the word 'now' stand part of the Question:."—The House *divided*; Ayes 100, Noes 43; Majority 57:—Main Question put, and *agreed to*:—Bill read a second time, and *committed for To-morrow*.

## Brokers (City of London) Bill [Bill 71]—

Order read, for resuming Adjourned Debate on Question [22nd June], "That the Bill be now read a second time:."—Question again proposed:—Debate *resumed* .. 1028  
After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed for To-morrow*.

## Ballot Bill [Bill 23]—

Order read, for resuming Adjourned Debate on Question [16th March], "That the Bill be now read a second time:."—Question again proposed:—Debate *resumed* .. 1028  
After debate, Question put, and *agreed to*:—Bill read a second time, and *committed for this day month*.

## IRELAND—SHANNON NAVIGATION—[GRANT]—

Order for Committee read .. .. 1039  
After short debate, *considered in Committee*.  
(In the Committee.)

*Moved*, "That it is expedient to authorize an Advance of any sum or sums of money, not exceeding £200,000, in part as a free Grant and in part as a Loan, out of the Consolidated Fund of the United Kingdom, to enable the Commissioners of Public Works in Ireland to carry out the provisions of any Act of the present Session for amending and enlarging the powers of the Acts relating to the Navigation of the River Shannon, and for other purposes relating thereto."

After short debate Committee report Progress; to sit again upon *Monday* next.

## Public Schools Act (1868) Amendment Bill [Bill 200]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" .. .. 1047  
After short debate, Amendment proposed,  
To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Winterbotham*),—instead thereof.  
Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.  
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered in Committee*.  
After short time spent therein, Committee report Progress; to sit again *To-morrow*.

Divine Worship in Licensed Buildings Bill—Ordered (*Sir Percy Burrell, Mr. Goldney*); *presented*, and read the first time [Bill 245] .. 1050

Pensions Commutation Amendment Bill—Ordered (*Mr. Stansfeld, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 244] .. 1050

Common Law Procedure (Ireland) Bill—Ordered (*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*); *presented*, and read the first time [Bill 242] .. 1050

Constabulary (Ireland) Bill—Ordered (*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*); *presented*, and read the first time [Bill 241] .. 1050

Beerhouses Bill—Ordered (*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*) .. 1050

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| Amendment <i>moved</i> , to leave out (“now”) and insert (“this day three months,”)—( <i>The Earl Beauchamp</i> .)                                                                                                               |             |
| After short debate, on Question, That (“now”) stand part of the Motion?—Their Lordships <i>divided</i> ; Contents 52, Not-Contents 29; Majority 23:— <i>Resolved</i> in the <i>Affirmative</i> :—House in Committee accordingly. |             |
| Amendments made; the Report thereof to be received on <i>Monday</i> next, and Bill to be <i>printed</i> , as amended. (No. 254.)                                                                                                 |             |
| <b>Sheriffs (Scotland) Act (1853) Amendment, &amp;c. Bill</b> (No. 243)—                                                                                                                                                         |             |
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| Amendments made; the Report thereof to be received <i>To-morrow</i> ; and Bill to be <i>printed</i> , as amended. (No. 257.)                                                                                                     |             |

## INDIA—FINANCIAL STATEMENT—

|                                                                                                                                                                                                           |      |
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## MERCANTILE MARINE—RESOLUTION—Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the statement in the Report of the Board of Trade, that more than half of the losses at sea for the six years ending in 1868 are owing to overladen and unseaworthy ships of the collier class, requires immediate legislation, with a view to the diminution of such losses,”—(*Mr. Plimsoll*),—instead thereof . . . . . 1102

Question proposed, “That the words proposed to be left out stand part of the Question :”—After short debate, Amendment, by leave, *withdrawn*.

## THE NEW LAW COURTS—RESOLUTION—Amendment proposed,

“That, in the opinion of this House, such building should be proceeded with without further delay,”—(*Mr. G. B. Gregory*) . . . . . 1111

After short debate, Amendment, by leave, *withdrawn*.

## METROPOLIS—SOUTHWARK PARK—RESOLUTION—Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the whole of the land purchased under the Act of 1864 (The Southwark Park Act), should be preserved as a Park for the use and recreation of the Public,”—(*Mr. Locke*),—instead thereof . . . . . 1113

Question proposed, “That the words proposed to be left out stand part of the Question :”—After short debate, Amendment, by leave, *withdrawn*.

## SPAIN—CASE OF THE “TORNADO”—RESOLUTION—Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, it is not competent for a Minister to allege or read in debate in defence of his policy any Document which is not upon the Table, and which he is not prepared to communicate to the House ; and that it is incumbent upon Her Majesty’s Government to lay forthwith upon the Table, Copy of the entire deposition or statement of facts made in writing by one Holmes, erroneously represented by the Under Secretary of State for Foreign Affairs to have been in command of the British Ship ‘Tornado,’ and also further Papers relating to that Ship,”—(*Mr. Bentinck*),—instead thereof . . . . . 1115

After short debate, Question, “That the words proposed to be left out stand part of the Question,” put, and *agreed to*.

Main Question, “That Mr. Speaker do now leave the Chair,” put, and *agreed to*.

## SUPPLY—CIVIL SERVICE ESTIMATES—considered in Committee.

(In the Committee.)

- (1.) £238,000, to complete the sum for the County and Borough Police, Great Britain.
- (2.) £315,627, to complete the sum for Government Prisons, England, and Transportation and Convict Establishments, Colonies.
- (3.) £203,880, to complete the sum for County Prisons and Reformatories, Great Britain.
- (4.) £26,943, to complete the sum for Broadmoor Criminal Lunatic Asylum.
- (5.) £12,790, to complete the sum for Miscellaneous Legal Charges.
- (6.) £48,633, to complete the sum for Criminal Proceedings in Scotland.
- (7.) £37,630, to complete the sum for Courts of Law and Justice, Scotland.
- (8.) £18,001, to complete the sum for the Register House, Edinburgh.
- (9.) £17,075, to complete the sum for Prisons, Scotland.
- (10.) £52,403, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.
- (11.) £30,294, to complete the sum for the Court of Chancery, Ireland.
- (12.) £19,477, to complete the sum for the Common Law Courts, Ireland.
- (13.) £5,790, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.
- (14.) £8,997, to complete the sum for the Landed Estates Court, Ireland.—After short debate, *Vote agreed to* . . . . . 1122
- (15.) £7,421, to complete the sum for the Probate Court, Ireland.
- (16.) £1,340, to complete the sum for the Admiralty Court Registry, Ireland.

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## SUPPLY—CIVIL SERVICE ESTIMATES—continued.

- (17.) £10,430, to complete the sum for the Registry of Deeds, Ireland.
- (18.) £2,066, to complete the sum for the Registry of Judgments, Ireland.
- (19.) Motion made, and Question proposed, "That a sum, not exceeding £65,900, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Commissioners of Police, of the Police Courts, and of the Metropolitan Police, Dublin" ... 1123
- Motion made, and Question proposed, "That a sum, not exceeding £40,900, &c."—(*Mr. Lusk*).—After short debate, Motion, by leave, *withdrawn*.—Vote *agreed to*
- (20.) £643,007, to complete the sum for the Constabulary, Ireland.—After short debate, Vote *agreed to* ... 1124
- (21.) £32,960, to complete the sum for Government Prisons, &c., Ireland.
- (22.) £28,211, to complete the sum for County and Borough Prisons, Ireland.
- (23.) £3,610, to complete the sum for Dundrum Criminal Lunatic Asylum.
- (24.) £1,630, to complete the sum for the Four Courts Marshalsea, Dublin.
- (25.) £6,070, to complete the sum for Miscellaneous Legal Charges, Ireland.
- (26.) £644,721, to complete the sum for Public Education, Great Britain.—After debate, Vote *agreed to* ... 1126
- (27.) £164,836, to complete the sum for the Department of Science and Art.—After short debate, Vote *agreed to* ... 1137
- (28.) £61,265, to complete the sum for the British Museum.—After short debate, Vote *agreed to* ... 1138
- (29.) £10,681, to complete the sum for the National Gallery.
- (30.) £1,100, to complete the sum for the National Portrait Gallery.
- (31.) Motion made, and Question proposed, "That a sum, not exceeding £6,827, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1871, for the University of London" ... 1139
- After short debate, Motion made, and Question proposed, "That a sum, not exceeding £6,795, &c."—(*Mr. Bentinck*). ... 1142
- After further short debate, Question put:—The Committee *divided*; Ayes 39, Noes 115; Majority 76.—Original Question put, and *agreed to*.
- (32.) £8,220, to complete the sum for the Endowed Schools Commission.
- (33.) £12,894, to complete the sum for Grants to Scottish Universities.
- (34.) £1,350, to complete the sum for Board of Manufactures (Scotland).
- Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Maguire*).—Motion, by leave, *withdrawn*.
- (35.) £425, to complete the sum for Public Education (Ireland).
- (36.) £1,290, to complete the sum for National Gallery (Ireland).
- (37.) £1,134, to complete the sum for Royal Irish Academy.
- (38.) £2,140, to complete the sum for Queen's University (Ireland).
- (39.) £2,915, to complete the sum for Queen's Colleges (Ireland).

Resolutions to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

## Glebe Loans (Ireland) Bill [Bill 222]—

- Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" ... 1145
- Moved*, "That the debate be now adjourned,"—(*Mr. Newdegate*):—Question put:—The House *divided*; Ayes 31, Noes 113; Majority 82.
- Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered in Committee*.
- After short time spent therein, Bill *reported*; as amended, to be considered upon *Monday* next.

## Meeting of Parliament Bill—

- Motion for Leave (*Mr. Gladstone*) ... 1147
- Motion *agreed to*:—Bill to amend the Acts of the thirty-seventh year of George the Third, chapter one hundred and twenty-seven, and the thirty-ninth and fortieth years of George the Third, chapter fourteen, ordered (*Mr. Gladstone*, *Mr. Secretary Bruce*); *presented*, and read the first time. [Bill 247.]

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## COMMITTEES OF SUPPLY AND WAYS AND MEANS—NEW STANDING ORDER—

*Moved*, That the following be a new Standing Order:—

“That this House will, in future, appoint the Committees of Supply and Ways and Means, at the commencement of every Session, so soon as an Address has been agreed to, in answer to Her Majesty’s Speech,”—(*Mr. Gladstone*) ... .. 1148

After short debate, *Ordered*, That the said Order be a Standing Order of this House.

## Irish Land Bill—

Lords Amendments to Commons Amendment to Lords Amendments, and Reasons assigned by The Lords for insisting on their Amendment to the Amendments made by this House to the Amendments made by their Lordships, *considered*.

Lords Amendments to Commons Amendment to Lords Amendments, *agreed to*.

*Resolved*, That this House doth not insist upon its disagreement to the Amendment made by The Lords to the Amendments made by this House to the Amendments made by their Lordships upon which their Lordships insist.

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- (4.) £153,919, to complete the sum for Embassies and Missions Abroad.—After short debate, Vote *agreed to* ... 1222

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| (3.) Motion made, and Question proposed, “That a sum, not exceeding £217,300, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Expenses of the War Office, which will come in course of payment during the year ending on the 31st day of March, 1871” ... ..                                                                | 1464 |      |
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## Glebe Loans (Ireland) Bill [Bill 222]—

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## COMMONS, WEDNESDAY, AUGUST 3.

### Sale of Liquors on Sunday Bill [Bill 57]—

- Order read, for resuming Adjourned Debate on Question [29th June], "That the Bill be now read a second time :"—Question again proposed :—Debate resumed ... 1487  
 Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Alderman Lawrence*).  
 Question, "That the word 'now' stand part of the Question," put, and *negatived* :—Words added :—Main Question, as amended, put, and *agreed to* :—Bill put off for three months.

### Married Women's Property Bill [Bill 238]—

Lords Amendments considered; and, after short debate, *agreed to* .. 1488

### Tramways Bill [Bill 239]—

- Lords Amendments considered .. 1489  
 After short debate, Amendments read a second time; several *agreed to*; several amended, and *agreed to*; several *disagreed to*.  
 Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed :"—List of the Committee .. 1491  
 Reasons for disagreeing to Lords Amendments reported, and *agreed to* :—To be communicated to The Lords.

### Sunday Trading Bill (*Lords*) [Bill 68]—

- Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. J. G. Talbot*) .. 1492  
 After debate, Question put, and *negatived*.

SUPPLY—Resolutions [August 2] reported .. 1495

NAVY INCREASE—Questions, Mr. R. W. Duff, Mr. J. Lowther; Answers, Mr. Baxter, Mr. Cardwell :—Debate thereon .. 1495

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| <b>Foreign Enlistment Bill</b> [Bill 228]—                                                                                                                                                                                                                          |             |
| Order for Committee read :— <i>Moved</i> , “That Mr. Speaker do now leave the Chair”                                                                                                                                                                                | 1502        |
| After short debate, Motion <i>agreed to</i> :—Bill <i>considered</i> in Committee                                                                                                                                                                                   | 1505        |
| After short time spent therein, Bill <i>reported</i> ; as amended, to be considered <i>To-morrow</i> , and to be <i>printed</i> . [Bill 258.]                                                                                                                       |             |
| <b>Gas and Water Facilities Bill</b> —                                                                                                                                                                                                                              |             |
| Lords Amendments <i>considered</i> ; several <i>agreed to</i> ; one <i>disagreed to</i> . Committee <i>appointed</i> , “to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed :”—List of the Committee | 1513        |
| Reasons for disagreeing to Lords Amendment <i>reported</i> , and <i>agreed to</i> :—To be communicated to The Lords.                                                                                                                                                |             |
| <b>Consolidated Fund (Appropriation) Bill</b> — <i>Ordered</i> (Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld); <i>presented</i> , and read the first time                                                                                             | 1513        |

## LORDS, THURSDAY, AUGUST 4.

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| <b>Matrimonial Causes and Marriage Law (Ireland) Bill</b> (No. 276)                                                                                           |      |
| <i>Moved</i> , “That the Bill be now read 2 <sup>a</sup> ,”—(The Lord Dufferin)                                                                               | 1514 |
| After short debate, Motion <i>agreed to</i> :—Bill read 2 <sup>a</sup> accordingly, and <i>committed</i> to a Committee of the Whole House <i>To-morrow</i> . |      |
| <b>Army Enlistment Bill</b> (No. 269)—                                                                                                                        |      |
| Bill read 3 <sup>a</sup> , with the Amendments                                                                                                                | 1516 |
| A new Clause inserted :—Bill <i>passed</i> , and sent to the Commons.                                                                                         |      |
| <b>Militia Acts Amendment Bill</b> —                                                                                                                          |      |
| Bill to amend the Acts relating to the Militia of the United Kingdom, <i>presented</i> (The Lord Northbrook); read 1 <sup>a</sup> (No. 293)                   | 1517 |

## COMMONS, THURSDAY, AUGUST 4.

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| <b>METROPOLIS—TEMPLE BAR</b> —Question, Mr. Lambert; Answer, Mr. Alderman W. Lawrence                  | 1518 |
| <b>SCIENCE EXAMINATIONS IN MAY</b> —Question, Mr. Dixon; Answer, Mr. W. E. Forster                     | 1519 |
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| <b>ARMY—THE ARTILLERY IN INDIA</b> —Question, Captain Beaumont; Answer, Mr. Grant Duff                 | 1520 |
| <b>ARMY—DIRECT COMMISSIONS</b> —Question, Captain Stacpoole; Answer, Mr. Cardwell                      | 1520 |
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| <b>Ecclesiastical Titles Act Repeal Bill [Bill 231]—</b>                                                                                                                                                                                      |             |
| <i>Moved</i> , “That the Bill be now read a second time”                                                                                                                                                                                      | 1528        |
| Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day three months,”—( <i>Mr. Newdegate</i> .)                                                                                      |             |
| After debate, Question put, “That the word ‘now’ stand part of the Question:”—The House divided; Ayes 111, Noes 34; Majority 77:—Main Question put, and agreed to:—Bill read a second time, and committed for To-morrow, at Two of the clock. |             |
| <b>Foreign Enlistment Bill [Bill 258]—</b>                                                                                                                                                                                                    |             |
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| <b>Inclosure Bill [Bill 206]—</b>                                                                                                                                                                                                             |             |
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| <b>Elementary Education Bill—</b>                                                                                                                                                                                                             |             |
| Lords’ Amendments considered                                                                                                                                                                                                                  | 1558        |
| An Amendment disagreed to.                                                                                                                                                                                                                    |             |
| <i>Moved</i> , “That the House do agree with the Lords’ Amendments in respect of the Ballot at elections for school Boards,”—( <i>Mr. W. E. Forster</i> .)                                                                                    |             |
| Lords’ Amendment agreed to.                                                                                                                                                                                                                   |             |
| Committee appointed, “to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed:”—List of the Committee                                                                              | 1560        |
| Reason for disagreeing to Lords Amendment reported, and agreed to:—To be communicated to The Lords.                                                                                                                                           |             |
| <b>Stamp Duties Bill [Bill 256]—</b>                                                                                                                                                                                                          |             |
| Bill considered in Committee                                                                                                                                                                                                                  | 1560        |
| After short time spent therein, Bill reported; as amended, to be considered To-morrow, at Two of the clock.                                                                                                                                   |             |
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| <b>Sheriffs (Scotland) Act (1853) Amendment, &amp;c. Bill—</b>                                                                                                                                                                                |             |
| Lords’ Amendments considered                                                                                                                                                                                                                  | 1563        |
| Several Amendments agreed to; one disagreed to.                                                                                                                                                                                               |             |
| Committee appointed, “to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed:”—List of the Committee                                                                              | 1566        |
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| After short debate, Bill <i>considered</i> in Committee, and <i>reported</i> ; as amended, to be considered <i>To-morrow</i> , at Two of the clock.                          |             |
| <b>Queen Anne's Bounty (Superannuation) Bill [Bill 114]—</b>                                                                                                                 |             |
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| After short debate, <i>Moved</i> , "That Mr. Speaker do now leave the Chair:"                                                                                                |             |
| —Question put:—The House <i>divided</i> ; Ayes 64, Noes 18; Majority 46.                                                                                                     |             |
| Bill <i>considered</i> in Committee, and <i>reported</i> ; as amended, to be considered <i>To-morrow</i> , at Two of the clock.                                              |             |
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| Bill <i>considered</i> in Committee.                                                                                                                                         |             |
| After short time spent therein, Bill <i>reported</i> ; as amended, to be considered <i>To-morrow</i> .                                                                       |             |
| <b>Oaths of Allegiance on Naturalization Bill—Ordered (Mr. Attorney General, Mr. Secretary Bruce, Mr. Solicitor General); presented, and read the first time [Bill 261.]</b> | 1570        |

## LORDS, FRIDAY, AUGUST 5.

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| <b>CHARITY COMMISSIONERS—RESOLUTION—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |
| <i>Moved</i> to resolve, That having regard to the change recently introduced by the Charity Commissioners into the administration of endowments for the benefit of the poor, the Court of Chancery having always hitherto held that such endowments are not applicable to persons in permanent receipt of parish relief, it is not expedient that the principle laid down by the Courts should be overruled, as inevitably tending to convert endowments intended for the relief of the poor to the relief of the ratepayer,—( <i>The Earl of Harrowby</i> ) .. | 1571 |
| After short debate, Motion (by Leave of the House) <i>withdrawn</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |
| <b>Meeting of Parliament Bill (No. 283)—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |
| <i>Moved</i> , "That the Bill be now read 2 <sup>a</sup> ,"—( <i>The Earl Granville</i> ) ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1573 |
| Motion <i>agreed to</i> :—Bill read 2 <sup>a</sup> accordingly, and <i>committed</i> to a Committee of the Whole House <i>To-morrow</i> .                                                                                                                                                                                                                                                                                                                                                                                                                        |      |

## COMMONS, FRIDAY, AUGUST 5.

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| <b>Consolidated Fund (Appropriation) Bill—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |
| Order for Committee read:— <i>Moved</i> , “That Mr. Speaker do now leave the Chair” ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1581 |
| After debate, Motion <i>agreed to</i> :—Bill <i>considered</i> in Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      |
| After short time spent therein, Bill <i>reported</i> , without Amendment; to be read the third time <i>To-morrow</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |
| <b>Foreign Enlistment Bill [Bill 258]—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      |
| Bill read the third time, and <i>passed</i> .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1592 |
| <b>Ecclesiastical Titles Act Repeal Bill (Lords) [Bill 231]—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |
| Bill <i>considered</i> in Committee .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1593 |
| After short time spent therein, Bill <i>reported</i> ; as amended, to be considered <i>To-morrow</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |
| <b>Oaths of Allegiance on Naturalization Bill [Bill 261]—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |
| <i>Moved</i> , “That the Bill be now read the second time,”—( <i>Mr. Attorney General</i> .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1598 |
| Motion <i>agreed to</i> :—Bill read a second time, and <i>committed</i> ; <i>considered</i> in Committee, and <i>reported</i> , without Amendment; read the third time, and <i>passed</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |
| <b>EAST INDIA REVENUE ACCOUNTS—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |
| Order for Committee read:— <i>Moved</i> , “That Mr. Speaker do now leave the Chair” .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1599 |
| Amendment proposed,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |
| To leave out from the word “That” to the end of the Question, in order to add the words “this House regrets that the Indian Budget is introduced at so late a period of the Session, and is of opinion, considering the present position of Indian Finance, that it would be expedient to appoint a Select Committee early next Session to inquire into the administration of the finances of India,”—( <i>Mr. Fawcett</i> ),—instead thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |
| Question proposed, “That the words proposed to be left out stand part of the Question:”—After short debate, Amendment, by leave, <i>withdrawn</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |
| Main Question, “That Mr. Speaker do now leave the Chair,” put, and <i>agreed to</i> :— <i>Considered</i> in Committee .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 1614 |
| Committee report Progress; to sit again <i>this day</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |
| House again in Committee .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1624 |
| <i>Moved</i> , “That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1869 was £49,262,691; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,249,766; the charges in India, including Interest on Debt, and Public Works ordinary, were £33,406,826; the value of Stores supplied from England was £1,432,840; the charges in England were £6,246,819; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,700,470, making a total charge for the same year of £52,036,721; and there was an excess of Expenditure over Income in that year amounting to £2,774,030; that the charge for Public Works extraordinary was £1,370,613, and that including that charge the excess of Expenditure over Income was £4,144,643,”—( <i>Mr. Grant Duff</i> ). |      |
| After long time spent therein, Resolution <i>agreed to</i> ; to be reported <i>To-morrow</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |      |
| <b>Judicial Committee Bill (Lords) [Bill 249]—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |
| <i>Moved</i> , “That the Bill be now read a second time,”—( <i>Mr. Gladstone</i> ) ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1668 |
| After short debate, Motion <i>agreed to</i> :—Bill read a second time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |

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| “That Copies of the following Treaties,—the Treaty of Vienna, in which a separate guarantee of the Saxon Provinces is given by Great Britain to Prussia; the Treaty of Paris, November 1815; the Supplementary Treaty, of the same date, excluding the Buonaparte family from the Throne of France, and to maintain which the contracting Powers bound themselves to employ the whole of their Forces; the Protocol defining the territories ceded by France,—be reprinted,”—( <i>Sir Wilfrid Lawson</i> ) ... | 1668        |
| After short-debate, Motion, by leave, <i>withdrawn</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |
| <b>LORDS, SATURDAY, AUGUST 6.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |
| Their Lordships met;—and having gone through the Business on the Paper, without debate, [ <i>House adjourned.</i> ]                                                                                                                                                                                                                                                                                                                                                                                            |             |
| <b>COMMONS, SATURDAY, AUGUST 6.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |
| <b>PRIVATE BUSINESS—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |
| <i>Ordered</i> , That Standing Orders 208 and 238 be suspended for the remainder of the Session.                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| <i>Ordered</i> , That, as regards Private Bills to be returned by the House of Lords with Amendments, on or after Monday next, such Amendments be considered forthwith.                                                                                                                                                                                                                                                                                                                                        |             |
| <i>Ordered</i> , That when it is intended to propose any Amendments thereto, a Copy of such Amendments shall be deposited in the Private Bill Office, and Notice thereof given on the day on which the Bill shall have been returned from the Lords,—( <i>Mr. Dodson</i> ) ...                                                                                                                                                                                                                                 | 1670        |
| The House met;—and having gone through the Business on the Paper, without debate, [ <i>House adjourned.</i> ]                                                                                                                                                                                                                                                                                                                                                                                                  |             |
| <b>LORDS, MONDAY, AUGUST 8.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |
| <b>BUSINESS OF THE HOUSE—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |
| <i>Ordered</i> , That for the remainder of the Session the Bills which are entered for consideration on the Minutes of the day shall have the same precedence which Bills have on Tuesdays and Thursdays,—( <i>Earl Granville</i> ) ... ..                                                                                                                                                                                                                                                                     | 1671        |
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| After short debate, House in Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |
| After short time spent therein, Amendments made; Standing Orders <i>dispensed with</i> :—Amendments <i>reported</i> :—Bill read 3 <sup>d</sup> , with the Amendments, and passed, and sent to the Commons.                                                                                                                                                                                                                                                                                                     |             |
| <b>Glebe Loans (Ireland) Bill (No. 280)—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             |
| <i>Moved</i> , “That the Bill be now read 3 <sup>a</sup> ,”—( <i>The Lord Dufferin</i> ) ..                                                                                                                                                                                                                                                                                                                                                                                                                    | 1680        |
| After short debate, Motion <i>agreed to</i> :—Bill read 3 <sup>a</sup> accordingly.                                                                                                                                                                                                                                                                                                                                                                                                                            |             |
| <i>Moved</i> , to insert the following clause—                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |
| “Every house built, enlarged, or improved, and every glebe or house purchased under this Act, shall be thenceforth held and occupied for that purpose only for which the same was originally provided, and shall not be alienated from that purpose without proof having been given to the satisfaction of the said Commissioners that the same is no longer required for that purpose,”—( <i>The Lord Redesdale</i> .)                                                                                        |             |
| After short debate, on Question?—Their Lordships <i>divided</i> : Contents 13.                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |
| Not-Contents 30; Majority 17:— <i>Resolved</i> in the <i>Negative</i> :—Amendments made:—Bill <i>passed</i> , and sent to the Commons.                                                                                                                                                                                                                                                                                                                                                                         |             |
| <b>Ecclesiastical Titles Act Repeal Bill—</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |
| Order of the Day for considering the Commons’ Amendments, read ..                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1683        |
| After short debate, Order of the Day <i>discharged</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |
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| After short debate, Petition read and ordered to lie on the Table.                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1684        |

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## Census Bill—

Lords' Amendments *considered* .. .. . 1706

First Amendment, page 2, line 14, after the word "condition" insert the words "religious profession," read a second time.

*Moved*, "That this House doth disagree with The Lords in the said Amendment,"—(*Mr. Bruce* : )—The House *divided*; Ayes 101, Noes 40; Majority 61.

Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to the said Amendments:"—List of the Committee .. .. . 1706

Reasons for disagreeing to The Lords Amendments *reported*, and *agreed to* :—To be communicated to The Lords.

## Judicial Committee Bill—

Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair" .. .. . 1706

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Watkin Williams*,)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided*; Ayes 64, Noes 45; Majority 19.



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## Judicial Committee Bill—cont.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to:—Bill considered in Committee.

An Amendment moved (*Mr. Secretary Bruce*):—On Question? The Committee divided; Ayes 38, Noes 36; Majority 2.

[No Report.]

## Clerical Disabilities Bill—

Lords' Amendments considered .. .. 1725

Page 3, leave out Clause 7, the first Amendment, read a second time.

Motion made, and Question put, "That this House doth agree with The Lords in the said Amendment:"—The House divided; Ayes 41, Noes 9;

Majority 32:—Subsequent Amendments agreed to.

## ARMY—ARTILLERY AND RIFLES—MOTION FOR RETURNS—

Address for "Returns of the number of Field and of Horse Artillery Batteries at Home, with the number of men and of horses attached to each Battery, and the number of men and of horses required to place each Battery in a condition for active service in the field:"

"Of the number of Field Guns in Store,"

"And, of the number of sets of Harness in store,"—(*Mr. Sinclair Aytoun*.)

Address for "Returns of the number of Breech-loading Infantry Rifles produced since the adoption of the Snider breech-loading principle, giving the numbers obtained by the conversion of muzzle-loading rifles into breech-loaders:"

"Of the number obtained by the direct manufacture of Breech-loaders:"

"Of the number of Breech-loading Rifles issued to the regular troops and the reserve forces, specifying the number issued to each regiment:"

"And, of the number of Breech-loading Rifles of all descriptions now in store,"—(*Mr. Sinclair Aytoun*) .. .. 1726

After short debate, Motion agreed to.

Parish Churches Bill—Ordered (*Mr. West, Sir Percy Herbert, Mr. Thomas Hughes*); presented, and read the first time [Bill 263] .. .. 1728

## LORDS, TUESDAY, AUGUST 9.

### Census Bill—

Commons Reasons considered (according to Order) .. 1730

Moved, "That their Lordships do not insist on the Amendments to which the Commons disagree,"—(*The Earl of Morley*.)

After short debate, Motion agreed to: the Amendments to which the Commons disagree not insisted on.

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INDIA—PUBLIC WORKS DEPARTMENT—ENGINEERING COLLEGE—Question, Mr. Plunket; Answer, Mr. Grant Duff .. 1733

UNITED STATES—FURTHER TREATY OF EXTRADITION—Question, Mr. Stapleton; Answer, Mr. Otway .. 1733

METROPOLIS—LEGISLATION RESPECTING GOVERNMENT OF LONDON—Question, Mr. Bowring; Answer, Mr. Bruce .. 1734

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## MILITIA (IRELAND)—MOTION FOR A RETURN—*Moved*,

"That there be laid before this House, a Return of the number of Militiamen, stating date, corps, county, offence, and punishment, who had been brought before either Magistrates at Petty Sessions or any Superior Court since 1865 charged with any agrarian or political offence in Ireland,"—(*Mr. Stacpoole*) ... .. 1736

After short debate, Motion, by leave, *withdrawn*.

## HOUSES OF PARLIAMENT APPROACHES—MOTION FOR AN ADDRESS—*Moved*,

"That an humble Address be presented to Her Majesty, praying that, taking into consideration the late hours and heavy labours in connection with the duties of the Legislature, and the inconvenience and loss of time arising from the crowded state of the thoroughfares, Her Majesty will be graciously pleased to direct that during the Session of Parliament Members of the Legislature may have free access to the House of Parliament by way of Constitution Hill to Birdcage Walk and through the Horse Guards,"—(*Mr. Haviland-Burke*) ... .. 1738

After short debate, Motion, by leave, *withdrawn*.

NEUTRALITY OF BELGIUM—Observations, Mr. Jacob Bright :—Short debate thereon .. .. . 1738

Statute Law Revision (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*) ; *presented*, and read the first time [Bill 264] .. 1746

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NEUTRALITY OF BELGIUM—TREATY WITH FRANCE AND PRUSSIA — Question, Observations, Lord Cairns ; Reply, Earl Granville :—Short debate thereon .. .. . 1746

## PROROGATION OF THE PARLIAMENT—

The ROYAL ASSENT was given to several Bills ; And afterwards Her Majesty's Speech was delivered to both Houses of Parliament by The LORD CHANCELLOR.

Then a Commission for Proroguing the Parliament was read.

After which,

The LORD CHANCELLOR said—

*My Lords, and Gentlemen,*

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to Thursday the 27th day of October next, to be then here holden ; and this Parliament is accordingly prorogued to Thursday the 27th day of October next.

## COMMONS, WEDNESDAY, AUGUST 10.

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## IRELAND—DUBLIN CITY WRIT—NEW WRIT ISSUED—

*Moved*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Edward Guinness, baronet, whose Election has been determined to be void,—(*Mr. Noel*) ... .. 1772

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| NEUTRALITY OF BELGIUM—Observations, Mr. Gladstone:—Debate thereon                                                                                                                                                                             | 1776        |
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## LORDS.

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### SAT FIRST.

MONDAY, JULY 11, 1870.

The Earl of Clarendon, after the Death of his Father.

THURSDAY, JULY 14.

The Lord Beaumont, after the Death of his Father.

THURSDAY, AUGUST 4.

The Lord Ranfurly, after the Death of his Grandfather.

FRIDAY, AUGUST 5.

REPRESENTATIVE PEER FOR SCOTLAND (*Writ and Return*).

The Earl of Strathmore, *in the room of* George Earl of Haddington, deceased.

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## COMMONS.

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### NEW WRITS ISSUED.

TUESDAY, JULY 12, 1870.

For *Brecknock*, *v.* Lord Hyde, now Earl of Clarendon.

WEDNESDAY, JULY 15.

For *Rochester*, *v.* John Alexander Kinglake, esquire, deceased.

TUESDAY, AUGUST 9.

For *Plymouth*, *v.* Sir Robert Porrett Collier, knight, Recorder of Bristol.

WEDNESDAY, AUGUST 10.

For *Dublin City*, *v.* Sir Arthur Edward Guinness, baronet, void Election.

### NEW MEMBERS SWORN.

THURSDAY, JULY 14, 1870.

*Norwich*—Jacob Henry Tillett, esquire.

THURSDAY, JULY 21.

*Rochester*—Julian Goldsmid, esquire.

TUESDAY, JULY 26.

*Brecknock*—James Price Gwynne Holford, esquire.



# HANSARD'S PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE TWENTIETH PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,  
APPOINTED TO MEET 10 DECEMBER, 1868, AND THENCE  
CONTINUED TILL 8 FEBRUARY, 1870, IN THE THIRTY-  
THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIFTH AND LAST VOLUME OF THE SESSION.

## HOUSE OF LORDS,

*Monday, 11th July, 1870.*

MINUTES.]—*Sat First in Parliament*—The Earl of Clarendon, after the death of his father.  
PUBLIC BILLS—*First Reading*—Siam and Straits Settlements Jurisdiction \* (197); Consolidated Fund (£9,000,000) \*.

*Second Reading*—Medical Officers Superannuation \* (169).

*Select Committee*—*Report*—Married Women's Property. \* (No. 196.)

*Committee*—Dividends and Stock \* (159-200); Sligo and Cashel Disfranchisement \* (167-201).

*Committee*—*Report*—Sale of Poisons (Ireland) \* (149).

*Report*—Married Women's Property \* (125-195).

## SPAIN—THE THRONE OF SPAIN.

### QUESTION.

**THE EARL OF MALMESBURY:** My Lords, I have given private Notice to the noble Earl the Foreign Secretary of my intention to ask him, Whether it would be consistent with his duty to make a statement to your Lordships with respect to the complications which have

unfortunately arisen between the three Courts of Spain, France, and Prussia? I feel I need make no apology for putting the Question, for the news which we have received to-day from abroad, as stated in the public prints of the state of public feeling in France, is most alarming. That news goes, indeed, so far as to make it almost probable—certainly possible—that a great European war may follow on these events. We are told that, in consequence of—I suppose I must use the words—secret negotiation between the Prime Minister of Spain and the House of Hohenzollern-Sigmaringen, an hereditary Prince of that House has consented to accept the Throne of Spain if offered to him by the Cortes. This negotiation, it appears, has been going on totally unknown to France, and, as I understand, to the other great Powers of Europe; and the consequence is, that not only the manner in which the negotiation has been carried on, but also its substance, has been most offensive to France. I will not, of course, ask my noble Friend to ex-

press any opinion how serious the effect of these complications may be or how they will end. We must make allowance for the prejudices and traditions of other countries, even though we do not completely understand them. At all events, I may be permitted to say that considering all that has passed with reference to the vacant Throne of Spain, it might have been expected by all the great Powers that negotiations should have been carried on above board and in a fair manner. I will only ask the noble Earl whether he can give us any hope that by his own exertions and those of Her Majesty's Government, and through the exertions of the other great Powers, the great danger which we all regret to look at is likely to pass away? I would also ask where and when Her Majesty's Government were first informed of these negotiations?

EARL GRANVILLE: On the last occasion when I remarked on the custom of putting Questions without Notice, I was not aware, or had forgotten, that the Standing Order adopted by your Lordships had gone further than the recommendation of the Select Committee; I believe, however, that I shall meet your Lordships' wishes by giving some answer to a Question put by a noble Earl who has so much right to put one on foreign affairs and on so very important a subject—though, as your Lordships will readily conceive, that answer must necessarily be very short and somewhat meagre. I had the honour of receiving the seals of the Foreign Office last Wednesday. On the previous day I had an unofficial communication with the able and experienced Under Secretary, Mr. Hammond, at the Foreign Office, and he told me, it being then 3 or 4 o'clock, that with the exception of the sad and painful subject about to be discussed this evening, he had never during his long experience known so great a lull in foreign affairs, and that he was not aware of any important question that I should have to deal with. At 6 o'clock that evening, when we were about to begin the discussion on the Report of the Irish Land Bill, I received a telegram informing me of the choice which had been made by the Provisional Government of Spain of Prince Leopold of Hohenzollern, and of his acceptance of the offer. I went to Windsor the following day and had the honour of re-

ceiving the seals of the Foreign Office from Her Majesty. On my return I saw the Marquis de Lavalette, who informed me of the fact which I already knew, and in energetic terms remarked on the great indignity thus offered to France, and expressed the determination of the Government of the Emperor not to permit the project to be carried out. M. Lavalette added that he trusted Her Majesty's Government, considering its friendly relations with France and its general desire to maintain peace, would use its influence with the other parties concerned. I told M. de Lavalette that the announcement had taken the Prime Minister and myself entirely by surprise. I stated that I could not admit the force of all the arguments he had used, and that I wished to reserve my opinion as to the general question. I expressed my regret that such strong language had been used at the outset of the affair by the French Government; but I admitted the existence of a strong and excited public opinion in France, and stated that for the reasons which he gave—namely, our friendly relations with France and our anxious desire to contribute to the maintenance of European peace—I would endeavour, without dictation and without any undue interference with the position of other countries, to impress upon them to the utmost the necessity of examining this important subject under all its serious phases. These are the principles on which Her Majesty's Government have since acted. I have been in communication not only with France, Prussia, and Spain, but also with the other great Powers, or their representatives, and I have no reason to believe that any one of those Powers is otherwise than anxious to maintain peace and desirous to contribute its share in preserving it. It is impossible for me to give any opinion to-day as to what effect those efforts may have had; but I do trust in the sense and moderation of the rulers and statesmen of Europe to avert so great a calamity as war. We all know how causes trivial in themselves, how faults and misunderstandings on both sides, have led to some of the greatest calamities which Europe has suffered; but I think there ought to be found some means of arriving at a conclusion which should avert the result to which the noble Earl has alluded.

GREECE—MURDER OF BRITISH SUBJECTS BY BRIGANDS.

MOTION FOR AN ADDRESS.

VISCOUNT STRATFORD DE REDCLIFFE: My Lords, it is with much sincere reluctance that I come forward to redeem the pledge which I gave in laying on your Lordships' Table the Notice of my present Motion. At this late period of the Session, when several important Bills remain to be discussed, I feel extremely unwilling to solicit your Lordships' attention even for a brief space on a question of foreign interest. But if I venture, nevertheless, to do so, I hope your Lordships will appreciate the sense of duty which makes me overstep every other consideration. Had those outrageous murders, which have raised so loud a cry of horror and indignation throughout the length and breadth of the land, been perpetrated in any country but Greece, I should not, my Lords, have troubled you with the Motion, which I am now prepared to submit to your Lordships. I have no complaint to make, no mistrust to express of Her Majesty's Government. They and their agents abroad appear to have exerted their best energies to obtain the punishment of the murderers and the discovery of their secret accomplices. This just acknowledgment is more particularly due to the memory of that distinguished Minister who has been called away so suddenly from among us, whose loss is indeed supplied by a hopeful reliance on his noble successor, but over whom we must still throw back our regrets in the recollection of those efficient and attractive qualities by which he refreshed the lustre of an historic title and justified the sorrow of his numerous friends.

There is happily no reason for me to distress your Lordships by going again in detail over the scene of crime and blood. The particulars of the outrage and its attendant complications were fully, ably, and impressively stated on a former occasion by the noble Earl on the Bench behind me, and ample justice has been done to the exemplary conduct of its victims under so awful a visitation. I cannot, however, disguise the impressions left upon my mind by a perusal of the official documents laid upon your Lordships' Table. To use the mildest language, there is no denying that the Greek Ministers exhibited a culpable

degree of carelessness in the outset, that secret intrigues were employed to render the brigands intractable, and, finally, that gross mismanagement, however unintended, brought to its fatal point the impending catastrophe.

What we have now to deal with is that system of organized crime but too well known under the name of Brigandage. I need not remind your Lordships that wherever that evil exists, the country, in proportion to its prevalence there, suffers more or less in all the main sources of national prosperity. The land is neglected; industry is checked; and the people are degraded in their habits and moral temperament. Italy, Spain, Hungary, and Turkey, as well as Greece, continue to give evidence of this truth, and great would be the benefit accruing to those countries if their respective Governments could be induced to combine their measures by mutual agreement for the extirpation of a canker at once so vile and so destructive. In Greece the baneful practice has long taken root, and spread its branches to a frightful extent. The late disgusting murders were its legitimate offspring. It has a character peculiar to itself, and dates from the earliest period of Grecian life. The poets and historians of Greece bear witness to its antiquity, and to the evil effects it produced, whether as piracy at sea, or as banded robbery on shore. Unfortunately the geographical configuration of Greece, whether insular or continental, comes in aid of the traditional habits of its people. Long mountainous ridges in the one case, and rocky islands separated by narrow seas in the other, nourish the spirit of adventure, and while they supply motives for a life of spoliation, oppose a barrier to the pursuit of avenging justice. The northern highlands of Greece are, moreover, connected with similar mountains in Turkey. The inhabitants on both sides of the frontier are generally few and scattered. For the most part they are shepherds, and whether the flocks they tend are their own, or only consigned to their care, they lead a wandering life, directed in their movements by the seasons, or by their access to localities abounding in pasture. Would that they were as innocent as their flocks! Unhappily, they not only supply the brigands with intelligence, and occasionally with food, but also from time to time they serve them-



selves to recruit the plundering bands, as appeared to demonstration from the late trials at Athens. It is their practice to send milk for sale to the towns, and the carriers, whom they employ for that purpose, are the channels of communication between the brigands and their secret accomplices. The owners of the pasture lands have also a motive for being on friendly terms with the robbers. Their farms not unfrequently lie in exposed situations, and in order to save their property from dangerous visits they connive at acts of depredation, and sometimes go so far as to play into the hands of those who commit them.

Worse, my Lords, even than this fellowship of crime is the political corruption which arises from the same source. The return of a candidate for election as a Deputy is rendered uncertain by the progress of some opponent in obtaining promises. The case is urgent. What is to be done? The frightened candidate happens to have means of communication with some band of freebooters quartered in the neighbourhood. He applies for their assistance; they assail his rival and his rival's supporters with threatening letters, and sometimes proceed even to a partial execution of their menace. The candidate, converted by their agency into an elected Deputy, is bound to treat them with gratitude. He gives his support to some Minister, and that Minister is bound in turn to listen to the suggestions of his friend, who employs his influence, as the case may be, to save or to serve the brigands at a pinch. The Deputy may also be a magistrate, and in that case the current of justice is more immediately distorted on behalf of crime. The disastrous consequences of this vast network of plunder, bloodshed, corruption, and political intrigue may be easily conceived, at the same time that the practice in its full extent reflects a strong light on those suspicious inadvertencies which, as your Lordships may remember, formed the worst part of the late transactions in Greece. The development of the natural resources of the country is neglected; the mass of its inhabitants, perverted by evil examples, discouraged by a sense of insecurity, and enervated by terror, recede from every wholesome exertion; and the administration of the Government is tainted to its very core with false ideas which re-act with pa-

ralyzing force alike on the land and on its population.

When the late King Otho, on the termination of his minority, mounted the Throne of Greece, he found himself in front of two parties, each pretending, on grounds of its own, to an ascendancy in the conduct of public affairs. The one was composed, with few exceptions, of Greeks from Constantinople and the Ionian Islands, intermingled with Native proprietors from the Morea and Archipelago Islands, who had taken a lead in the insurrectionary Administrations and Legislatures during their struggle for independence; the other, of those who pretended to be descendants of the real offspring of the soil, mountaineers of Northern Greece, men of those regions which had contributed the largest amount of muscle and hardihood to the war with Turkey, belonging by nature to the military class, fond of action, and sympathizing with freebooters, even when they were not members themselves of some pillaging, cut-throat band. The young Sovereign, whatever may have been his motive, favoured this latter division of his people. It may be that he shrank from the restraints of a constitutional form of government, to which the former party were inclined, or sought to flatter the national vanity by taking up the *Grande Idée*, as it was called, and together with it the class which adopted it as their watch-word and party cry. He wore the *justanelle* himself; he showed a greater preference for Colletti, the Albanian, than for Mauvocardato, the constitutional leader, and treated the freebooters with a degree of leniency which at once encouraged both their criminal trade, and the lawless policy of which they were thought by many to be the eventual instruments. From this mistaken policy, my Lords, as from a fountain head came forth a stream of evils affecting both the internal condition and the foreign relations of Greece. From the very beginning there was a signal want of economy little suited to the financial means of the country. Too large a portion of the revenue was laid out upon troops and diplomacy. At a later period fruitless expeditions, and the pay of Deputies and Senators weighed heavily on the revenue. Agriculture was left to take care of itself. The national lands were

allowed to remain unproductive. No public works were undertaken. Roads, drainage, mines, manufactures, one and all were neglected. When the King's hands were forced, and a representative form of Government was established, place-hunting, party intrigues, and corruption in various shapes became the order of the day. Your Lordships need hardly be told that the foreign policy of Greece corresponded to this state of things at home. International Law commanded no respect. Hostility to the Turkish Empire was a constant principle of action. The interest of foreign loans was paid irregularly, or not at all. The employment of foreign capital, so much needed in Greece, became an impossibility. Such were the results of the *Grande Idée* and its ally, Brigandage, under the protection, though certainly not with the approval, of the Protecting Powers.

Everyone knows that Greece owed its existence as a separate kingdom to the united efforts of England, France, and Russia, who took the new State into their protection, and who continue even now to be the acknowledged guardians of its independence. The Greeks are indebted to them not only for national existence, but also for the extent of territory they possess, the security they enjoy, and even for a portion of their annual expenditure. More than 40 years have elapsed since the three Protecting Powers agreed, by a formal Convention, to interfere between the Sultan and his insurgent Christian subjects. Be assured, my Lords, that their motives for this alliance were pure and laudable. Humanity called upon them to put limits to a struggle which threatened the utter destruction of the weaker party. A wise policy suggested their joint interference, even for the interests of Turkey. A danger, which hung over the peace of Europe, could only be averted by their united efforts. The trade of the Levant stood greatly in need of shelter from the disturbances of war and the assaults of piracy. Your Lordships may remember that the settlement, which was proposed at first in a friendly form and on moderate terms, assumed in the end a coercive character and a more extended range. The battle of Navarino, the withdrawal of the Ambassadors and Consuls from Turkey, the declaration of war by Russia, and the appearance of a French army in

the Morea overcame, as well they might, the objections of the Porte. Turkey was forced into compliance, and left without defence from the annoyances of a petty but vexatious neighbour. Greece was established at the expense of Turkey and guaranteed, in effect even to misconduct, by the Allied Powers. The consequences, which were to be expected, soon became apparent. The Porte, in its intercourse with the Greek Government, was frequently treated with insult and provocation; its complaints were met with chicanery; its efforts to establish a better understanding with its former subjects were generally evaded; its provinces bordering on Greece were disquieted, and sometimes even assailed; and, finally, when the Cretan insurrection broke out, the Greeks did everything short of open war to assist the insurgents and prevent an amicable arrangement. The Allies themselves, my Lords, had much to endure. Their counsels were disregarded, the interest of their loans unpaid, their protection abused, their very names brought into discredit. Twice was England obliged to send a squadron to the Piræus in order to obtain redress. Such was the conduct of Greece during the Crimean War that it became necessary for French and English troops to occupy a part of Attica. The lawless operations of Greece respecting Crete threatened to re-open the Eastern Question, and a Conference of European Powers could alone extinguish the nascent flames.

These circumstances are more than sufficient to show that the Protecting Powers have other duties to perform as well as that of guarding the independence and territory of Greece. Turkey is entitled to require that their protection should not be used to shelter the Greeks, and secure their impunity, when they violate the Law of Nations, and stir and throw fresh fuel on the fire which consumes her Empire. Europe, also, has reason to expect that the principal members of her family should not allow their benevolence to be turned into an instrument of general alarm, embarrassment, and injustice. Your Lordships will perceive that, at least in this instance, the existence of a duty carries with it a distinct right of action. The Protecting Powers, when they gave their guaranty to Greece could only have meant to defend the territorial independ-



ence of that State against any unjust and unprovoked encroachment. It is nothing less than monstrous to suppose that Greece could ever be at liberty to assail or injure other countries, without provocation on their part, and with an exemption from consequences on her own supplied by the power of her Protectors. It is evident that, in every view of justice, the latter have no alternative but that of either leaving their ward to the responsibilities of international usage, or enforcing the necessary restraints by their own authority. If they were to decide on withdrawing their protection entirely from Greece, they would only exercise a legitimate discretion. The conduct of Greece has been such as fully to justify a decision to that effect, and even in making it the Allies would have to put up with some disadvantages, and to incur expenses fairly attributable to the same cause. In order to act with consistency, they would be obliged to withdraw their diplomatic representatives from Athens, and the apprehension of increased disorder in the waters of Greece, as well as in Greece itself, would probably require an increase of their naval forces in that region. But if they saw reason to prefer the severer branch of the alternative, their interference would not of necessity take an unfriendly form, and they might abstain from acting otherwise so long as the requisite efficiency of their measures would permit. Supposing even that their method of proceeding should, from necessity, become decidedly imperative, it cannot be doubted that their ultimate purpose would, nevertheless, continue to have a friendly and benevolent character. Your Lordships may presume that the three Powers would, of course, invest their agreement, as at first, with the formality of a regular Convention. If the Greeks themselves should consent to be parties to it, so much the better; at all events, it would probably be thought desirable to make them the offer.

Greece is by no means incapable of much progressive improvement; but her misfortune is, that the elements of progress have been thrown systematically into the shade. The business of a friendly Power, when interfering authoritatively, would be to bring those elements into life, and to employ them in the right direction. Proprietors, farmers, and labourers would surely, for the most part,

hail with joy the suppression of a system which casts a gloom over their natural pursuits, and lays them open to frequent alarms, to occasional pillage, and to a constant sense of insecurity. Among the more educated classes, who figure in public life and are candidates for office either at the seat of Government or in the provinces, there must be many individuals susceptible of moral improvement, and capable of appreciating its advantages in the conduct of public affairs. But they have need of example, support, and encouragement, the inspirations of which must come for a time from without, and suggest, if not prescribe, to those in authority ideas of steadiness, impartiality, and moral principle. The youthful King has recently displayed such noble and generous qualities that the Allies might reasonably look to his concurrence for introducing a better state of things among his subjects, with due consideration for the future independence and welfare of the country. England, entitled by her position as chief mourner in the late calamity, would naturally take the lead, and I know not why she should mistrust the sympathies of France and Russia, her associates in the Protection. France, on former occasions, has acted with much generosity and perfect good-faith. Russia, though liable, in some respects, to being swayed by special views, would hardly like to abandon the field to the two Western Powers, acting conjointly and apart from her. Italy having had its share in the late calamity cannot but take an interest in our remedial measures. From Austria and Prussia, we could only desire a moral countenance, and that would hardly be refused.

With respect to the mode of proceeding, and the means of giving it effect, your Lordships are aware that they lie entirely in the domain of Government. It would be mere presumption for me to do more than shadow out the most obvious suggestions. The presence of a naval force is the first to occur. It need not be large. As a similar occupation to that which took place at the Piræus during the Crimean War might become necessary, the Powers would, no doubt, provide in time for such a contingency. To insure what may be termed indispensable—namely, a firm adherence to certain principles of government on the part of the Ministry, the Protecting



Powers would probably require the admission of a foreign element into its counsels. Portugal affords a precedent for this expedient. During our Peninsular campaigns the British Ambassador for the time being was received as a member of the administration at Lisbon. The permanent suppression of Brigandage would naturally head the list of reforms. Roads, military stations, movable detachments of the army, indispensable for that purpose, would require the application of considerable funds. Might it not be worth while for the Allies to further these operations by a moderate aid in money? Would it not also be desirable to make the Turkish Government a party to the scheme, in so far as measures of police and military force are concerned? Interference of this kind, however friendly in manner and intention, would, no doubt, jar upon the national feeling in Greece; and for this reason, to say nothing of other considerations, it would be well to limit its duration. Much might be effected in five or ten years, and nothing short of absolute necessity should be allowed to extend the provisional state beyond that term. I venture to think that the Chancellor of the Exchequer would meet his share of the expense without alarm or difficulty. In short, there is little doubt that the trouble would be greater than the cost under any presumable circumstances.

My Lords, I have strained your indulgence more than I intended in the outset; but I hope your Lordships will excuse me if I add a few more words—a very few—before I sit down. I feel that although I have tried to preserve a tone and spirit of moderation, I have, in substance, arraigned a Government; I have brought the Government of Greece before the bar of public opinion. This, my Lords, is no light matter; and Greece being the country concerned, it has cost me much to perform so painful a duty. It is, indeed, a duty to me, because I took so large a part in those transactions which led to the establishment of Hellenic independence. The discharge of that duty is painful to my feelings on more than one account. I have contracted a deep and abiding reverence for the literature of ancient Greece from the nature of my education and its place, the Royal and truly national seminary of Eton. I would not disguise the

strong and cordial sympathies which I entertain for that people, degenerate as they may be, who claim descent from the most illustrious race of antiquity, who continue to breathe the pure atmosphere which inspired the best of that race, and who, after centuries of Turkish bondage, rose bravely from their degradation, and dashed their fetters at every risk against the teeth of their fanatical oppressors. Even to this hour I retain a large portion of my early affection for them; nor have I yet ceased to hope that they may in time justify the partiality of their friends, and, together with the names, retain some traces of their ancestral worth. I submit, in conclusion, to your Lordships, with becoming deference, that I have presented a fair title to your acceptance of the Motion which I have now the honour to propose. That Motion consists of four parts. The first two are simple matters of course, or nearly so, grounded on positive facts. The third I conceive to be more than warranted by official documents and other respectable authorities. With regard to the fourth, I feel assured that your Lordships will go with me in desiring to remove those causes which lie at the root of Hellenic Brigandage, with all its attendant miseries, and in recognizing those paramount obligations which virtually rest on the Protecting Powers. I have endeavoured to show the nature of the mischief and the duty of redressing it. I have, moreover, pointed to the means of accomplishing that object, and to the right of employing those means, and also to the hazardous consequences of neglecting an opportunity which ought never to recur. The final decision must, indeed, remain with Her Majesty's Government; but the proposed declaration of your Lordships' sentiments could hardly fail to strengthen their hands, and to give additional weight to those very urgent considerations which cannot be overlooked with prudence or consistency. I repeat that there is but one alternative: we must either interfere effectively, or withdraw altogether. I would ask whether the Greeks can possibly, can safely be left, as heretofore, to pursue their wild notions, dishonest and pernicious as they often are, under the shadow and shelter of the Protecting Powers?

In pressing this matter on your Lordships' attention, I have performed most

reluctantly, and, I fear, most imperfectly, a delicate and onerous task. Supported by your Lordships, I may look with some degree of confidence to the eventual result; and if I should have the misfortune to come from a Division with scanty following, or even with none at all, I shall at least carry with me the humble consolation of having done my best, as an unworthy Member of this noble House, to extract enduring good from a passing calamity. I pretend to no exceptional merit for this endeavour. We must all have at heart to preserve our country from discreditable indifference, the peace of Europe from continual alarms, and Greece itself, which we have undertaken to protect, from the effects of a perverse and ruinous misgovernment. Allow me to add that, in thus appealing to your Lordships' judgment, I speak to the nation—nay, even to the world at large.

*Moved*, "That an humble address be presented to Her Majesty to assure Her Majesty that the House continues to regard with the deepest grief and horror the late atrocious murders perpetrated near Athens by a band of organized brigands on the persons of several of Her Majesty's subjects, including the Secretary of Her Majesty's Legation; to thank Her Majesty for the ample and early accounts thereof which it has pleased Her Majesty to communicate to the House; to submit whether there be not grounds for apprehending that the lives of the lamented victims were mainly sacrificed to parties acting more or less in secret understanding with the brigands; and to express an earnest hope that such further steps as Her Majesty may please to take with reference to these matters will be directed not only to the immediate suppression of brigandage in Greece but more especially to the removal of its real causes, be they what they may, in discharge of the obligations virtually contracted by Her Majesty and Her Majesty's Allies as the constituted protectors of that kingdom."—(*The Viscount Stratford de Redcliffe*.)

**EARL GRANVILLE:** My Lords, I venture to think it was hardly necessary for the noble Viscount to remind me of the conduct of the late Lord Clarendon, for I cannot but feel that I am standing on the very spot whence a few weeks ago he spoke to your Lordships in so straightforward, and so sagacious, and so earnest a manner that I believe he commanded the assent of every Peer in this House. My Lords, there are two points in regard to this subject which are closely connected, but which, in my opinion, it is necessary to keep distinct from each other. First of all there is the question into which the noble Viscount has chiefly

gone—namely, as to the general state of Greece and the duties of the Protecting Powers towards that country; and, secondly, there is the sad outrage which affected public opinion in this country and throughout Europe more deeply, I think, than any incident that has happened of late years. Now it would, in my judgment, be a very great mistake on the part of the Government and of the country to mix up these two questions. With regard to the first—the Government of Greece—it is clearly a question which must be considered in concert with the Protecting Powers, for it is one in which all the Powers of Europe must take a deep interest. With regard, however, to the second question—although we have the sympathy of all the countries of Europe, and the active co-operation of some, yet we are the parties primarily interested in it. I think it is not desirable to go into the first question at the present time, and therefore I shall only allude to one casual remark made by the noble Viscount, who, at one point of his speech, stated that he saw by the faces of the occupants of the Treasury Bench, that they had made up their minds to do nothing. I cannot conceive how that idea came into the noble Viscount's head, unless it was in consequence of my mentioning to him at that stage of his speech that I was sorry he had not arrived at more definite suggestions; and I am bound to say that afterwards four or five suggestions were made by the noble Viscount. With regard to the sad outrage so eloquently described by the noble Viscount there is very, very little for me to add to the speech made by the late Lord Clarendon. The principal facts are these—First of all the Greek Government yielded the opposition they originally made to the presence of legal agents on the part of Lord Clarendon—and I have every reason to believe that everyone must have been struck with the determination, sagacity, and ability which those agents have shown up to the present time. The other point is the conviction and execution of those wretched brigands who were actually concerned in the outrage. One has been reprieved for a time, possibly with a view to further the ends of justice in a larger way—the others have been executed. Lastly there remains that most important part of the inquiry—with regard to the possible participa-

*Viscount Stratford de Redcliffe*



tion of more highly educated and more powerful persons than those immediately connected with the brigands. As your Lordships will readily imagine, I can have taken very little part during the few days I have been in Office with regard to this affair. The only thing I have done is this—A rumour having reached us that the present Prime Minister of Greece was about to resign, I instructed Mr. Erskine that it was not our policy to interfere with regard to persons, but that we had a fixed determination that it was our right and our duty to insist upon the fullest and most complete inquiry that could be brought to bear upon the incidents I have already alluded to; and that, whatever Ministry or persons the King might think fit to maintain in Office or to summon to his counsels, who should be determined *bonâ fide* to meet that requirement on our part, that Ministry should receive the warmest sympathy on the part of Her Majesty's Government. I believe that language of an almost identical character has been used by the Italian and French Governments on this point. The Resolution of the noble Viscount (Viscount Stratford de Redcliffe) contains some expressions which it would have been desirable not to have introduced. I do not think it is a desirable thing for the House to address the Crown in several sentences of this kind unless there is a practical object to which such Address relates. Notice of this Motion was given without any previous communication with Lord Clarendon, who was of opinion that it was not a desirable Motion for the House to adopt. I entirely agree with him; but I am bound to say that the matter stands now in a different position to that which it occupied when the Notice was first placed on the Paper. I believe I may now say, without fear of contradiction, that your Lordships all had confidence in the experience and ability of the man who then presided over the Foreign Office. My position is a very different one, and your Lordships may, perhaps, think you would give me strength by conveying some preliminary reproof to me in order to keep me up to the duty I owe to the Crown and the country. Still, I think that Her Majesty's Government are acquainted with the feeling of the country, that they know what their duty is, and that they are sufficiently imbued with the views of

Lord Clarendon on this matter. Here I must state that my lamented Friend's end was accelerated by the indignation he felt at this outrage, the sympathy he entertained for the victims who had fallen, and for the friends and families who mourn their loss; and that his appreciation of the just resentment of the country, and his anxiety to carry on the inquiry to a proper end and to demand whatever might be a just and due reparation, with a firmness and in a manner becoming a great nation like ours, was one cause which hastened the loss which we all so much deplore. Being under such inspiration, I trust that, although I may carry out his work most imperfectly, your Lordships will not, until I am found wanting, impose on me a Motion like the present, which, I think, would in some degree weaken instead of strengthening me in the eyes of Europe.

THE EARL OF CARNARVON: As your Lordships were so good as to hear me speak on this subject at great length on a former occasion, I shall not travel over any of the ground which I went over then. At the same time, I can hardly allow the Motion which my noble Friend (Viscount Stratford de Redcliffe) has made on this important subject to be put without making a few remarks. The noble Earl the Secretary of State for Foreign Affairs very rightly divided the question into two parts—namely, that which concerns the massacre of the captives, and that which relates in a more abstract sense to the Motion which had been made by my noble Friend. As I have already said, I will not travel over the grounds of the previous discussion; and yet I do think it right to state on my own part that, after a careful study of all the Papers since issued, and after mastering as far as I could all the criticisms which have appeared elsewhere on the subject, I do unhesitatingly reaffirm the conclusions I expressed in the previous debate. These I have seen nothing to shake. Those who suffered at the hands of the brigands were betrayed by false assertions of the Greek Government as to their safety; and I do affirm still that the movement of the troops, in violation of the solemn promise and engagement of the Greek Government, to which promise was added the word of the English Minister, was the immediate cause of these murders. Nay I go further, and say again that there is not a word in the



published correspondence which in any degree removes the suspicion attaching to the conduct and motives of the Greek Government. They still have to give every explanation which was demanded of them two months ago. More than that, I must express my dissent from my noble Friend when he stated his belief in unqualified terms, that whatever could be done had been done—my own estimate, taken from a somewhat different point of view, is that nothing has been done. There have been the executions of a few brigands or peasants, but they were a mere fraction of the band, which, according to the last details, had doubled or trebled in numbers since the murders, and are now extending themselves over other parts of Greece. It is true there was a trial, and I am glad to hear that the English agents employed at that trial were sagacious; but certainly if you study the details of the trial, as printed in the Parliamentary Paper, you will find no record of any action on the part of the British agents; while, as far as the Greek Judges and Court were concerned, I venture to express my opinion that the trial reads almost like a farce. There is nothing in these statements which in any degree removes the suspicions previously entertained—nothing that goes to the bottom of the matter and sifts out the guilty individuals. Lastly, the gentleman who showed more courage, decision, energy, and sagacity than any other was Mr. Noel, whose life at this moment can hardly be said to be quite secure. I have no interest in him whatever except what arises from the gratitude I feel for all that he did to save the lives of the prisoners, and I call with confidence on my noble Friend (Earl Granville) not to relax in any degree the pressure which Lord Clarendon thought it his duty to put upon the Greek Government. Let me now say a few words upon the second part of the Motion. It seems to me a misfortune that there should have been such a slight discussion on this subject. My noble Friend (Viscount Stratford de Redcliffe) represents very much of the enthusiasm which existed 40 years ago, when Greece was formed into a kingdom. We can recall the enthusiasm, the expenditure of money, and the sacrifice of our traditional policy which were readily offered to secure the emancipation of the Greek na-

tion. I agree with him that the expenditure of money and the sacrifices we made, in accordance with the policy of that day, was not too great a price for the object in view; England was quite justified in the course she took upon that occasion. It is time now to reconsider the results of the policy then laid down. It would be impossible, without trespassing at too great a length, to draw anything like an adequate picture of the present state of Greece; but I should like to call attention to one or two main points connected with the financial and commercial condition of the country. At this moment Greece has no less than three National Debts. There is the debt guaranteed by the Protecting Powers at the time the independence of Greece was established, on account of which only one payment for interest has been made since 1843; there is the Bavarian Debt, contracted somewhere about the same time, and since 1837 no interest has been paid upon that; and the third debt is represented by the Greek Bonds. Upon these all payment has been suspended for some time, and arguments in favour of repudiation most questionable in character have been adduced to the utter destruction of Greek credit. In 1857, at the close of the Crimean War, a Commission was appointed by the Protecting Powers, really for the purpose of inquiring into the social condition of the country. That Commission made a most searching investigation, and I would ask my noble Friend to see whether, considering the grave matters now pending, it would not be desirable to lay some of the Papers arising out of that inquiry before the House. One or two of them have been printed, and through them we know that the Commission made some allegations to the effect that it was stated there was ample money in the Treasury to pay the interest on the debt, and that one year afterwards, as a matter of fact, the Greeks did find the money to pay the debt. Since then the country has been in a state of insolvency. All the recommendations of that Commission were most admirably adapted for the improvement of the country, but they have all been alike treated with neglect. As regards trade it languishes within the limits of Greece, and no less than two-thirds of the population are self-constituted exiles, and have sought refuge in those Turkish

towns which have been the occasion of so much contempt on the part of the Greeks. Agriculture is very much what it was; and all speculative schemes have to contend against the vacillating policy of the Government. I remember the case of a French company who, two years ago, were working a silver mine. Every attempt was made to disgust and frighten them away, until at last they were suddenly called upon to pay an export duty, which amounted to 60 per cent of the total cost of production. Another company engaged in sinking for pitch had their wells filled up with stones, and could get no redress. Every sort of speculation is looked upon as injurious to the native population, and enterprize is therefore driven out of the country. It is perfectly certain that Brigandage is in a great degree the cause of this; it is true, also, that both the geography and history of the country have fostered Brigandage; but it must be remembered that Brigandage has grown of late in dimensions and atrocity. In former years it was supported by the Court, and certainly in the present day by the governing classes. It is undesirable to mention names; but I believe the account given of Brigandage by a very able French writer, though veiled under the form of romance, is strictly true as regards Greece. One special evil of Brigandage is this—that for many years past political persons and parties in Greece have made use of brigands as agents; as instruments to carry out their own selfish and personal ends. Even within the last few months the brigands have been employed in determining the municipal elections. The Minister looks to the Deputy, the Deputy looks to the local mayor, and the local mayor has recourse to the brigands to turn the votes and secure the election. The police are perfectly helpless in such a case, and the burden really falls on the peasant, who is exposed on one side to the oppression of the brigands, and on the other to the action of the troops when, in times of panic, they are sent in pursuit of the brigands. No class suffered more severely under the present state of things than the Greek peasant. I will now call the attention of the noble Earl opposite (Earl Granville) to a subject which, from what I hear, calls for attention. I cannot say whether it be true or not; but it has been repeatedly stated of late

by the Greek newspapers that torture is freely used by the police on the peasants to procure evidence. Two or three weeks since I saw an article in one of the chief papers on this subject, stating that, even with regard to these massacres, some witnesses who could have given unfavourable testimony were exposed to torture. These statements thus publicly made and practically remaining uncontradicted, form a subject of the gravest importance. I fear that matters have grown worse rather than better; and I am afraid that the Constitution given to it, of which my noble Friend (Viscount Stratford de Redcliffe) has spoken, made a great mistake in sweeping away the native aristocracy, which, although it may have been oppressive in some cases, at all events contained within it elements of security which any wise Government would have retained; the next Constitution, as your Lordships know, came to nothing; and the last has established in Greece what may be regarded as pure democracy. Greece is the very Utopia of democracies. She enjoys universal suffrage, vote by ballot, and every institution that the purest democrat can desire. Nevertheless, upon the authority of every person qualified to speak upon the subject, we are told that the inhabitants possess no constitutional liberty whatever. There are no roads to facilitate communication for purposes of trade; there is no justice which can be administered equally between persons of all classes; there is no coinage, there is no money in the Treasury—in fact, there is nothing which constitutes civilized government. There is one thing for which we must give the Greek nation credit, and that is their strong love for education. That is the one redeeming feature of the picture. But even education, instead of being a blessing to the country, takes the form of a vicious circle in that country, and for this reason—because most of the young men being educated to pass the necessary competitive examination before they could obtain public appointments, these public appointments, by being kept constantly before their eyes, become the first and sole object of every Greek mind; and the result is that the candidates, most of whom are brought up upon insufficient means, in the form of a hungry army of paupers, flock to Athens in order to gain there public places, which they obtain



frequently by corrupt means. It has been said, upon the testimony of Sir Thomas Wyse, that the law of Greece is made for the strong and the rich, and not for the weak and the poor. It is perfectly true that the profession of the law is well represented in that country, for by a recent Return I see that the proportion of lawyers is one to every 3,000 of the population. Then, again, there is a superabundance of Government officials, the proportion being one to every 50 of the population. These are conclusions to which we are driven by the sheer logic of facts. The noble Lord who introduced the subject (Viscount Stratford de Redcliffe) alluded to the Ionian Islands. I am not going to say one word as to whether we were right or wrong in handing over those Islands to the Greek Government, but one thing is quite certain—namely, that we gave up those islands in a state of good government and good order. If your Lordships will turn to a Parliamentary Paper upon the subject, published about two years ago, you will find that such was the state of misgovernment that succeeded that transfer that the Judges had resigned in a body, the roads were overgrown with grass, from want of traffic occasioned by the stagnation of trade, and a general state of chaos prevailed. This is but a very faint picture of the internal affairs of Greece. If we look abroad as regards the country, we shall find the state of things described by the noble Lord. These unfortunate people are so absorbed in the hope of reviving the Byzantine Empire, that they starve the present for the purpose of endeavouring to secure the grandeur of the future. All attempts which have been made to convince them how utterly futile such a hope is have been ineffectual. The Emperor Nicholas, just before the commencement of the Crimean War, emphatically declared that he would not be a party to the restoration of the Byzantine Empire, but that declaration failed to open the eyes of the Greeks to the folly of keeping this object perpetually before them. The truth is, they are consumed by this idea, and they are misled by the mischievous notion that nothing they can do will induce Europe to check or to interfere with them; and it is this unfortunate idea which lies at the root of all the breaches of International Law that have been laid

to their charge. It is the prevalence of this idea which accounts for the outbreaks which occurred in 1854, when we were compelled to send troops to the country to restrain them. The noble Viscount made various suggestions for our future conduct with respect to that country to which the noble Earl the Secretary for Foreign Affairs has objected. Upon this point I will merely say that it is always easy to object to proposals of such a nature, because they are only put forward under exceptional circumstances; but the question before us now is, whether we are not contributing by our influence to support what I may say is the most immoral Government in Europe. It may be impossible that we should interfere in the manner suggested by the noble Viscount, and it is equally impossible that we should withdraw our Minister from Greece. If, however, we cannot enforce the obligations which that country owes to Europe, I say in Heaven's name let us no longer submit to the responsibility under which we now rest—let us withdraw from the Protectorate we are now supposed to exercise—let us wash our hands of the whole matter, let us be altogether free from any connection with these acts of infamy, which are continually occurring, and over which we can exercise no control. I know very well that it has been said that Her Majesty's Government ought not to take any action in the matter, lest by so doing they may precipitate what is termed "the Eastern Question." I think that we should have no fear of such a result. I do not think it would be to the credit of the Government of this country, if after all that has been said and done recently the matter were permitted to end here—some practical result ought to follow. I regret that no action has been taken with reference to this subject. I do not say that in reproach to those who now hold the reins of Office, because I believe that had Lord Clarendon's life been spared, his sympathies were so deeply interested, that he would not have permitted the matter to end without some practical result being achieved. I understand the noble Earl the Foreign Secretary to accept fully the responsibility that attaches to his official position, and to pledge himself and the Government that no efforts shall be wanting on their part to bring about a solution of this diffi-



culty, honourable to this country, and to exact retribution for the blood of our countrymen, and for the indignities that have been passed upon this country.

EARL RUSSELL: My Lords, there is no one who at this crisis does not lament with deep seriousness the removal of the distinguished Minister who so lately directed our foreign affairs—whose knowledge upon these questions, and in particular of that now before your Lordships, was so wide and accurate: and I may say that there is a general feeling in the public mind that the Seals of the Foreign Office could not have been placed in better hands than in the hands of my noble Friend. To say nothing of generosity, taking into consideration the short time my noble Friend has been in Office, I do not think it would be wise to impose any restraint upon a Minister who is charged with such responsibilities, and who personally commands so much confidence in your Lordships' House and with the public. The subject all will admit is full of difficulties and intricacies, and I think it most undesirable that we should, at such a time, fetter the discretion of the Secretary for Foreign Affairs. It seems to me most prudent to leave the noble Earl full power to use his own discretion in the matter, and complete liberty of action in reference to it. Now, as to the subject itself, it appears to me that my noble Friend (Earl Granville) has done all that could be expected at this moment in insisting, as he has insisted, that there should be a full, complete, and thorough inquiry in respect of those murders. For my part, having heard the speech made on a former occasion by the noble Earl who has just sat down (the Earl of Carnarvon), I must say I thought he made good his assertions, and that they are borne out by what was said on the part of Her Majesty's Government. I have recently read an anonymous pamphlet which professes to give the cause of these murders; but I think a more lame defence of the Greek Government and a more total failure to make good the allegations of the writer I have never known. It seems to me very clear that if the Greek Government had earnestly intended to save those English gentlemen from being the victims of the brigands, they should have pursued one of two courses—they should either have given orders that the soldiers were not to

fire on the brigands, or they should have surrounded them with a force so considerable as would have made it impossible for them to escape. As there were, I believe, 13,000 troops at Athens then, the latter course would have been quite practicable. But it is obvious that the course taken by the Greek Government was quite as sure to bring about the murder of these English gentlemen as if the troops themselves had been directed to fire on the captives. This is amply proved. But there is something further to consider—namely, to what points my noble Friend should direct the attention of those who are to conduct the inquiry which is to take place. I remember that after the last debate I told my noble Friend Lord Clarendon that the charge which had been made against the Greek Government was a still more heavy charge than any that the noble Earl opposite (the Earl of Carnarvon) has attempted to make good. It was said then, and has since been repeated, that the charge made against the Greek Government is this—that while they said they could not think of violating the Constitution of Greece by taking the course they were asked to take in respect of those brigands who held the captives, so far from observing all the articles of that Constitution, they allowed brigands of the worst character—men who had committed murder over and over again, and who ought to have been regarded as infamous criminals—to go to Crete, when they ought either to have been executed or kept in prison. That charge has been made by a captain of the British Navy who is now in the service of Turkey (Captain Hobart), and it was repeated by my noble Friend. I cannot conceive a graver charge being made against a Government. I think, therefore, my noble Friend should direct the attention of those who are to conduct the inquiry to an investigation of this question—whether any persons who had been convicted in former years were allowed to swell the ranks of the insurgents in Crete. I can quite understand that a strong sympathy with the insurgents in Crete should be felt in Greece; but it is one thing that the Cretans should rise to vindicate their independence of Turkey, and quite another that brigands and felons should be sent to make war on Turkey in Crete on pretence of their being Cretan patriots. If the accusation

to which I have just alluded be well founded, there can be no other conclusion drawn from the facts themselves than this—that the Greek Government are ready to violate the Constitution of their country when there is a question of raising an insurrection against a friendly State, but that they are not willing to infringe on the articles of that Constitution with the view of saving the lives of English gentlemen, captives in the hands of Greek brigands, even if their lives are only to be saved by that means. Captain Hobart alleges a number of cases in which criminals such as those to whom I have referred were allowed to go to Crete to join in the insurrection. Now, if this allegation be proved, after impartial inquiry, I cannot imagine how it would be consistent with the dignity of Her Majesty's Government to retain a representative of this country at the Court of Athens, and that in the end you would be obliged to withdraw from the guarantee you have given with respect to Greece. If the inquiry be full and impartial, and if it result in proof of that allegation, matters cannot remain as they are; but whether my noble Friend (Viscount Stratford de Redcliffe) ought to press his Motion is another question. As to the latter part of his Motion, I think it calls on Her Majesty's Government to do what it may not be in their power to accomplish. I remember talking to the representative of a foreign Power who had had some experience in Greece. He told me he admired the talent of the Greeks; but a people more low in point of morality he had never been acquainted with. It is, perhaps, asking too much of Her Majesty's Government to bring about a change in the morals of a whole people, and were my noble Friend to attempt it I think he would find it beyond his powers. Even if things be as bad in this regard as is stated, it should be remembered that a future time may witness a different state of things. It must be remembered that the Highlands of Scotland in 1690 and 1756 were very different from the Highlands of Scotland in the present day. I do not know that in 1690 any English Secretary of State could have been expected to remove the causes of the discontent which then existed in the Highlands. I wish to put it to my noble Friend whether, after the statement of my noble Friend the Secre-

*Earl Russell*

tary for Foreign Affairs, he really wishes to press his Motion. My noble Friend (Earl Granville) has pledged himself that an inquiry shall be instituted. The honour of the country is deeply involved in this matter; but I think it would be much better if my Friend the noble Viscount would leave the conduct of this business in the hands of my noble Friend the Foreign Secretary, reserving the right to avail himself of a future opportunity for adopting any course which circumstances may appear to him to render necessary.

VISCOUNT STRATFORD DE REDCLIFFE, in reply to a request that he would not press his Motion to a Division, said, if he was to understand from the language held by his noble Friend the Foreign Secretary that he (Earl Granville) would not exclude from his consideration any mode of action which might be called for by the result of the inquiry, he would not be disposed to press his Motion. He trusted that if the result of inquiry should be such as to justify and call for the interference indicated in his Motion, that mode of action would not be excluded from the consideration of the Government. He should be glad to obtain an assurance on that point from the noble Earl the Foreign Secretary.

EARL GRANVILLE: What I stated was, that we meant to insist upon a full and complete inquiry into the circumstances of the particular outrage on the English prisoners; and that, with regard to the other and larger questions, we were prepared to consider them in concert with the European Powers.

VISCOUNT STRATFORD DE REDCLIFFE said, that, in consequence of that explanation, he should withdraw his Motion.

Motion (by Leave of the House) *withdrawn*.

#### SIAM AND STRAITS SETTLEMENTS JURISDICTION BILL [H.L.]

A Bill to vest jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements—  
Was presented by The Earl of KIMBERLEY:  
read 1<sup>st</sup>. (No. 197.)

House adjourned at half past Seven o'clock,  
'till To-morrow, half past  
Ten o'clock.



## HOUSE OF COMMONS,

Monday, 11th July, 1870.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee — Ordered — First Reading — Pier and Harbour Orders Confirmation (No. 3) \** [210].

*Ordered — First Reading — Census \** [211].

*Second Reading — Inland Revenue Acts Repeal \** [146]; *Sheriffs (Scotland) Act (1853) Amendment, &c. \** [191]; *Vestries (Isle of Man) \** [198]; *Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) \** [205]; *Ecclesiastical Patronage Transfer \** [160].

*Second Reading — Referred to Select Committee — Factories and Workshops \** [150].

*Committee — Elementary Education (re-comm.)* [167] — *N.R.*

*Committee — Report — Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment (re-comm.) \** [162-208]; *Stamp Duties \** [135-209]; *Telegraph Acts Extension (re-comm.) \** [196]; *New Zealand (Guarantee of Loan) \** [190]; *Paupers Conveyance (Expenses) \** [193]; *Sugar Duties (Isle of Man) \** [203].

*Considered as amended — Extradition \** [138]; *Clerical Disabilities \** [49].

*Withdrawn — Game Laws Amendment, &c. \** [3]; *Entail (Scotland) \** [108].

## NAVY—"INCONSTANT" AND "VOLAGE."

## QUESTION.

MR. CORRY said, he wished to ask the Secretary to the Admiralty, If he will lay upon the Table of the House Copy of those parts of Sir Thomas Symonds's Reports which relate to the performance of Her Majesty's ships "Inconstant" and "Volage?"

MR. BAXTER: In answer, Sir, to the right hon. Gentleman, I have to state that Sir Thomas Symonds's Reports with reference to the *Inconstant* and *Volage* are included in the Reports on the *Monarch* and *Captain*, which we have already agreed to lay upon the Table. Let me remind the right hon. Gentleman, however, that if for the future it is to be understood that such Reports are always to be produced, officers will naturally write for the information not of the Admiralty, but of the House of Commons.

## NAVY—RETIREMENT IN THE NAVY.

## QUESTION.

MR. CORRY said, he would now beg to ask the Secretary to the Admiralty, Whether it is true that it is the intention of the first Lord of the Admiralty to consider such Officers as are qualified by

age for optional retirement to be ineligible for appointments?

MR. BAXTER: In answer, Sir, to the right hon. Gentleman, I beg to say that, in consequence of the redundant state of the lists preventing a large number of eligible officers from obtaining employment in certain ranks, age has always been one of the considerations in selecting officers for appointments, and that there are, and always have been, manifest objections to giving employment to those who must soon after retire from the service, the country losing the benefit of their experience. Under the present system, however, the retirement is so much more liberal that full weight can be given to this consideration; but my right hon. Friend (Mr. Childers), while acting on this principle, has no intention to make any fixed regulation precluding officers who might retire from age from being employed.

## FOREIGN OFFICE BLUE BOOK.

## QUESTION.

MR. MORRISON said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any arrangement can be made to satisfy the desire on the part of the public to obtain Copies of the Foreign Office Blue Book on the condition of the industrial classes in Foreign Countries?

MR. OTWAY said, in reply, that there was a great desire on the part of the Foreign Office to meet the wishes to which the hon. Member gave expression, with regard to the Blue Book in question. The matter stood in this way. After the distribution of the Reports on the industrial classes to the Houses of Parliament, between 60 and 70 copies were presented by the Foreign Office to the Chambers of Commerce and other institutions in the country. There were about 200 copies now left in the Foreign Office, and what was proposed to be done was to send this number of copies to Messrs. Hansard, to be sold at the usual Parliamentary price of 3s. a volume, and they could thus be placed within the reach of those institutions which desired to possess them.

## ARMY—STAFF APPOINTMENTS.

## QUESTION.

MR. J. WHITE said, he would beg to ask the Secretary of State for War,



Whether any regulation is in force by which officers of the Army holding Staff Appointments are required to leave such offices after a service of five years; and whether there are any officers to whom such regulation has not been applied; and, if so, upon what principle such exemption is justified?

MR. CARDWELL: Sir, the 106th section of the Royal Warrant says—

“All Staff appointments, except those of Officers on our Personal Staff, of the Officer Commanding in Chief, and of Officers on his Personal Staff, and the Staff of our Garrisons, shall be held for five years only, unless by re-appointment under special circumstances.”

I believe that the only officers at the present time to whom this rule is applicable, and has not been applied, are the Adjutant General, who continues to discharge his duties until the arrival of his successor from Gibraltar, and the Deputy Adjutant General of Royal Artillery, who has been continued for a short time to complete the re-distribution of the Royal Artillery, rendered necessary by the reductions in India.

#### SILK SUPPLY ASSOCIATION.

##### QUESTION.

MR. CHADWICK said, he wished to ask the Under Secretary of State for India, Whether he is aware that the Khedive of Egypt, on the suggestion of the Silk Supply Association, has determined to promote the production of Silk in Egypt on an extensive scale, and has appointed Mr. Ankatel to superintend an establishment for that purpose; and what steps have been taken by the Government of India to encourage and increase the production of Silk, thereby reviving an ancient industry over a large portion of India where the mulberry tree is indigenous, and affording employment for the people?

MR. GRANT DUFF: In reply, Sir, to the Question of my hon. Friend, I have to say that, on the formation of the Silk Supply Association in the spring of last year, the Secretary of State in Council forwarded the proceedings of the association and the correspondence with it to the Governor General and the Governors of Madras and Bombay. The Government of India replied, begging the Secretary of State—

“To inform the association that they fully appreciated the importance of the objects for which it had been established, and that they should al-

ways be happy to render all the aid in their power to promote the success of those objects.”

They then circulated a copy of the despatch from the Secretary of State and its enclosures to the several local Governments, and published the whole correspondence with the association in the official *Gazette*. The substance of this reply was sent to the association on the 14th of June. Neither the Madras Government nor that of Bombay has replied directly to the Duke of Argyll's despatch; but they appear to have taken steps to make known the objects of the association. I find various notices of silk cultivation in papers recently received from India. For example, in the proceedings of the Government of India for October, 1869, it appears that, on the recommendation of the First Assistant to the Resident at Hyderabad, the Governor General in Council sanctioned an outlay of £500 from the provincial revenues of Berar for an experiment in the cultivation of mulberry trees for the propagation of the silkworm, and something in the same direction is being done in Khandeish. I have every reason to believe that the authorities, both in this country and in India, are very anxious to promote the growth of the mulberry, and that, in common with all other valuable Indian products, silk will obtain more and more attention from the Government.

#### SPAIN—CHOICE OF A KING—PRINCE LEOPOLD OF HOHENZOLLERN.

##### QUESTIONS.

MR. W. H. GREGORY said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether there is any foundation for the report which has appeared in certain Spanish journals, “that England has expressed herself favourable to the selection of a member of the House of Hohenzollern to fill the throne of Spain?”

MR. OTWAY: There is no foundation whatever for the report alluded to.

SIR WILLIAM HUTT said, he wished to ask the First Lord of the Treasury, Whether Her Majesty's Government is aware that the Prince Leopold of Hohenzollern Sigmaringen has been accepted by the Government of Spain as a candidate for the throne of that country, and the Government of the King of Prussia has in any way signified its approval of

such candidature; whether it be true, as publicly alleged, that the Government of the Emperor of the French has declared that the election by the Spanish people of the Prince Leopold as King of Spain would be regarded by it as an act inconsistent with the Peace of Europe; and, whether Her Majesty's Government do not consider it highly important to exert all the influence of this country with Foreign Powers to prevent any such disturbance of the European Peace?

MR. GLADSTONE: Sir, it was on Tuesday evening last, I think, that the Government, to their no small surprise, received the intelligence on the subject to which my right hon. Friend has called attention. The intelligence we received was to the effect that Prince Leopold of Hohenzollern Sigmaringen had been accepted by the Government of Spain as a candidate for the throne of that country; and it was also to the effect that the Government of the Emperor of the French had declared that the accession of this Prince to the Spanish throne would not be tolerated by France, but would be regarded by them as a case admitting of and requiring a resort to extremities. The Government are not aware that the Government of the King of Prussia has committed itself or bound itself to any approval of such candidature. Finally, the Government have exercised, and will exercise, all the legitimate and friendly influence they may be supposed to possess—with a due regard to the dignity and self-respect of every Foreign Power—for the purpose of preventing an event so calamitous and so deplorable as that a great European conflagration and bloodshed should arise out of circumstances of the character referred to in the Question of my right hon. Friend.

#### WINCHESTER AND HARROW SCHOOLS. QUESTION.

MR. WINTERBOTHAM said, he wished to ask Mr. Solicitor General, Why the Special Commissioners appointed under the Public Schools Act, 1868, having had the opportunity of reconsidering the statutes framed by them for determining and establishing the constitution of the new Governing Bodies of Winchester and Harrow Schools, with reference to the principles laid down in the Endowed Schools Act, 1869, have restricted the Governing Body of each of

those Schools to members of the Church of England, although Winchester School was a pre-Reformation foundation, and in the case of Harrow School no such restriction as was now proposed has hitherto existed?

THE SOLICITOR GENERAL said, in reply, that the two schools in question stood upon different grounds. Winchester was founded long before the Reformation by William of Wykeham, upon the strictest ecclesiastical principles, and for the bringing up of persons strictly devoted to the pursuit and study of religion; and from the passing of the Act of Uniformity to the present day it had always been considered that a Church of England character was distinctly impressed upon it. In the discussion which took place in this House it was understood on both sides that the case of Winchester was peculiar, and it was a conceded point that Winchester must be treated as a Church of England school. Somewhat different was the case of Harrow, founded by John Lyon, who in his lifetime issued a number of orders and regulations which had ever since been the governing statutes of the school, and had not been materially altered. These stipulated that the scholars should learn the catechism; that they should attend Divine service; that they should hear the Scriptures read and expounded; and that, at the expense of the founder, 30 sermons a year should be preached by the Master in the church, which implied that he must be a member of the Church of England; and it was expressly stated that on Sundays and holydays use should be made of the catechism by Nowell, one of the founders of the Reformation, a Principal of Brazenose, a Dean of St. Paul's, and a Canon of Windsor—a catechism which he drew up at the instigation of the two Archbishops, which had always been considered one of the symbolical books of the Church of England, which was approved by the Convocations of Canterbury and York, and which, by the 79th Canon of 1603, every Master was required to read on pain of suspension. Coupling these circumstances with the terms of the Act, it would seem that the Public School Commissioners had good grounds for exempting Harrow. Further, he had received letters from Dr. Butler, the present, and Dr. Vaughan, the late Head Master, confirming the conclusion



as to the exclusively Church of England character of the school. In stating these facts, which he considered to be sufficient to justify the action of the Commissioners, he did not wish to separate himself from them, although he took no part in the decision to which they came.

#### REGENT'S PARK—ORNAMENTAL WATER.—QUESTION.

MR. HARVEY LEWIS said, he wished to ask the First Commissioner of Works, Whether he will lay upon the Table of the House a Copy of a Letter, dated 8th July instant, addressed to him, upon the offensive state of the ornamental water in the Regent's Park, by Dr. Whitmore, the Medical Officer of Health for the parish of St. Marylebone?

MR. AYRTON: Sir, my attention has been drawn by reports which have reached me to this subject, and I shall be happy to lay them on the Table of the House. It is beyond doubt that the state of the ornamental water in Regent's Park at the present time is very unsatisfactory, and it is believed that that result is owing to the fact that the water has been made shallow and the bottom of a uniform depth. At present the only mode of relief, having regard to the manner in which the work was carried out, is by increasing the depth of the water, and I have given directions that the depth should be increased accordingly. As to the permanent remedy for the evil, it will be necessary carefully to consider the mode in which the works were carried out two or three years ago, in order to ascertain what alterations will be required in order to secure the continuous purity of the water, and to prevent its getting again into its present condition.

#### METROPOLIS—HYDE PARK—THE SERPENTINE.—QUESTION.

SIR LAWRENCE PALK said, he wished to ask the First Commissioner of Works, Whether he is prepared to take any steps for the effectual clearing of the mud in the Serpentine?

MR. AYRTON: Sir, the subject is being carefully considered by the persons the most competent to form a reliable opinion upon it, and I shall submit to the Government whatever conclusion they may arrive at.

*The Solicitor General*

#### INSPECTORS OF TAXES.—QUESTION.

SIR HENRY HOARE said, he wished to ask the Secretary to the Treasury, Why Inspectors of Taxes, over fifty-five years of age, who retired in March, 1869, had the full increase of ten years added to their actual length of service as the basis of computation for their superannuation pension; and for what reasons in the present year Inspectors of Taxes who have been reduced in consequence of the diminution of the establishment are to have a certain sum deducted from their retiring allowance for every year in excess of the age of fifty-five, and which Order or Regulation was not acted on in the case of those who retired in 1869?

MR. STANSFELD said, in reply, that the best answer he could give would be to state the regulations under which Inspectors of Taxes and other Government *employés* were compensated upon the abolition of offices. A certain number of years were added to the actual length of service for the purpose of computing the pensions—for example, if a man had served 20 years, under ordinary circumstances he would be entitled to have 10 years added, and to have his pension calculated as if he had served 30 years. Such an addition, however, would be unreasonable if it would carry a man beyond the time of life at which he could reasonably have been expected to remain in the service, and in 1864 a Treasury Minute was issued modifying the regulations in this respect. When the additional number of years would carry a man beyond the age of 60 the Treasury exercised a discretion as to the additional number of years they would allow; and, speaking generally, the rule they adopted was not to make an addition which would carry a man beyond the age of 65. If it happened that in 1869 any Inspector, on the abolition of his office, had been pensioned on a more liberal scale, he presumed that the rule had been overlooked.

#### POST OFFICE—LETTER POSTAGE.

##### QUESTION.

MR. RYLANDS said, he would beg to ask the Postmaster General, Whether he has contracted with the West India and Pacific Steam Ship Company, and with the Liverpool, Brazil, and River



Plate Steam Navigation Company, to pay them two shillings and sixpence for the carriage of letters; and in that case what rate of postage is charged by the Post Office to the public for letters sent by these ships, and what amount of loss (if any) the Post Office sustains by the Contracts; and, whether he has contracted with the North German Lloyd Company to carry letters from Southampton to New York at three pence per ounce, instead of one shilling per ounce, which had previously been paid for the same service; and if he will state what rate of postage was charged to the public under the previous Contract, and what rate is charged under the reduced Contract?

THE MARQUESS OF HARTINGTON, in reply, said, that the Government had entered into a contract with the West India and Pacific Steam Ship Company for the conveyance of letters to the West Indies, and with the River Plate Steam Ship Navigation Company for letters to the Brazils; and the charge agreed upon was that stated by the hon. Member—namely, 2s. 6d. per ounce; the charge to the public for the conveyance of such letters was 1s. per half-ounce. No loss was sustained by the Post Office on account of the contract. It was also true that the North German Lloyd's Company had contracted to carry letters at 3d. per ounce from Southampton to New York, instead of at 1s. per ounce, which was the former charge. The rate of charge had been reduced from 6d. per half-ounce to 3d. per half-ounce.

#### POST OFFICE — COUNTRY POST-MASTERS.—QUESTION.

MR. J. HOWARD said, he would beg to ask the Postmaster General, if it is correct that while subordinate officers in Country Post Offices are allowed regular holydays, during which substitutes are provided by the Department, Country Postmasters, many of whom commence work at 5.30 a.m., and whose duties did not terminate till 10.30 p.m., are not allowed either regular holydays or substitutes during absence; and, if so, whether there is any good reason for continuing such a distinction; whether a list of places, both at home and abroad, to which the public can telegraph is in course of preparation; and, if so, how soon it will be published; and whether

he will order a List of Foreign Rates for Telegrams to be published in the Postal Guides, or give to the public the information in some other way?

THE MARQUESS OF HARTINGTON, in reply, said, it was quite true that arrangements were made for allowing subordinate officers in the country post offices to have regular holydays; and it was also true that when the whole time of a Postmaster was occupied by his official duties arrangements were made for allowing him also to have regular holydays. But in the country the office of Postmaster was frequently held by persons who attended for the greater part of their time to other business, and it was not considered necessary in that case to arrange for special holydays, though no objection was ever made to the temporary absence of the Postmasters, if they found substitutes for the proper performance of their duties. In regard to the second Question of the hon. Member, such a list had been prepared and could be seen at the Post Office; but at present—when additions were being made to it almost every day—it was not considered desirable to make it public.

#### INDIA—MEDICAL SERVICE.

##### QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for India, Whether an examination of candidates for the medical service in India will take place in the spring of 1871, as it is understood an examination will not take place in the present Autumn; and, whether any Copies of the Financial Statistics of India from the end of the last century, and published by the Governor of India, could be made available to those Members of the House of Commons who take an interest in the finances of India on application for Copies at the India Office?

MR. GRANT DUFF: In reply, Sir, to my hon. and gallant Friend I regret to say that I am unable to answer his first Question. It is quite possible that there may not be an examination next spring, as it is understood that the medical service is rather overmanned at present. We have, however, written to India asking for precise information as to immediate requirements, and I can state nothing definite till we have an answer. In reply to his second Question, I regret

to say that no copies of the documents to which he alludes have up to this time reached the India Office.

**METROPOLIS — CARRIAGE - ROAD  
THROUGH ST. JAMES'S PARK.**

**QUESTION.**

MR. CADOGAN said, he wished to ask the First Commissioner of Works, Whether, in accordance with his statement of the 6th May last, that carriages would be allowed to drive from the end of James Street through the end of St. James's Park and out by Storey's Gate, he is prepared to sanction the opening of this thoroughfare, or whether the intention of so doing has been abandoned; and, if so, upon what grounds?

MR. AYRTON said, in reply, that what he had stated on a former occasion was that he could not entertain any proposition to make a permanent thoroughfare through St. James's Park; but as it was in contemplation to stop up a part of King Street, and obstructions might in consequence arise to the passage of hon. Members through Parliament Street, he proposed the formation of a temporary road through St. James's Park. Since then, however, circumstances had changed, for he could not now say when the way through King Street would be stopped up, and he did not think that it was likely to be stopped during the present Session. At the same time he was informed that the Thames Embankment Road would be opened for carriage traffic on Wednesday, and then the Government, without speculating on the subject, would have the opportunity of observing the effect of that road in relieving the traffic through Parliament Street. Under these circumstances, it was not desirable that the existing arrangements with respect to St. James's Park should be interfered with, unless it should be found to be absolutely necessary.

**METROPOLIS—SUBWAY AT WEST-  
MINSTER BRIDGE.—QUESTION.**

MR. EDWARDS said, he wished to ask the First Commissioner of Works, What arrangements have been made or are proposed to be made with reference to the Subway under the Westminster Bridge approach, after the carriage road on the Embankment is opened to the public, as proposed on Wednesday next.

*Mr. Grant Duff*

MR. AYRTON said, in reply, that after the proposal had been made for constructing a subway under the approach to Westminster Bridge, but before it had been constructed, the Office of Works had sold all the land on the other side of Westminster Bridge that could have given access to the subway, reserving only the right of the Crown to go under that subway to the Metropolitan railway station. When he found that that was the case, and that Mr. Barry had been constructing the subway under Westminster Bridge, he requested that gentleman to communicate with the Metropolitan Board of Works and the railway company for the purpose of carrying out what he believed was the intention of the House in sanctioning the subway—namely, that hon. Members should be able to go from the corner of Cannon Row to the mouth of the subway, and thence either to the House, or under the new Embankment to the landing place for steamers. Mr. Barry said that he was unable to make the arrangement he had suggested. It therefore seemed to him that he should get on better if he dispensed with that gentleman's further services. Accordingly he had effected an arrangement with the Metropolitan Board of Works, by which the latter undertook, at its own expense, to open a communication with the steamboat pier by means of a curve, which would not interfere with the land which had been sold. This communication would be open in a few days, and he was very thankful for having thus got out of the difficulty.

**PARLIAMENT—SCOTCH AND IRISH  
PEERS IN THE HOUSE OF LORDS.**

**QUESTION.**

MR. STAPLETON said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government will be prepared before the close of the next Session to propose to either House of Parliament a plan for securing a better representation of the Scotch and Irish Peers in the House of Lords.

MR. GLADSTONE: Sir, I hope that my hon. Friend will excuse me if I say that at the present moment, viewing the condition of Public Business and our own engagements, I can make no announcement respecting the representation of Scotch and Irish Peers in the House of



Lords. At the same time I must express the opinion to my hon. Friend that the present rules for that representation are unsatisfactory and that the subject is one which well deserves the attention of Parliament.

# ELEMENTARY EDUCATION (*re-committed*)

BILL—[BILL 187.]

(*Mr. W. E. Forster, Mr. Secretary Bruce.*)

COMMITTEE. [*Progress 8th July.*]

Bill considered in Committee.

(In the Committee.)

Clause 65 (Attendance of child at school).

MR. J. LOWTHER said, he had an Amendment to propose, which would raise the question of compulsory education on a complete issue, which he thought it would be convenient for the Committee to decide once for all. His Amendment was, in page 24, line 21, to leave out all after "by laws" to the end of the clause, the effect of which would be to omit all reference to compulsory attendance of children in the schools. He would not go over the arguments against compulsory attendance, which had been so ably expressed on Friday by the hon. Member for Huddersfield (Mr. Leatham), and others, to which no answer had been given, except that given by the right hon. Gentleman the Vice President of the Council—namely, that no answer was required. For examples of compulsory education they were told to look to the European Continent and to America. But there could be no proper comparison between the inhabitants of these islands and the subjects of either despotic or democratic States. The circumstances were widely different, and therefore if it could be proved that compulsion was perfectly successful in these countries, still his argument would be untouched, because the experiment tried on people brought up under the tyranny of the few, or the still worse tyranny of the many, afforded no argument from which they could reason to a people accustomed to freedom and independence. They might as well say that, because the conscription, which was compulsory enlistment, was successful, and ensured vast levies of troops in France, in Prussia, and in America, therefore it would be successful in England, whereas there was not a single Member in that House who did not

know that any attempt to put in force such a system here would drive the patient and long-suffering inhabitants of these islands into open insurrection. And, moreover, he could not bring himself to entertain so low an opinion of his fellow-countrymen as for one moment to believe that they would ever submit to be dragooned into knowledge, or to have the alphabet crammed down their throats by a policeman's truncheon. Such parallels then could not be drawn. But it appeared from the speech of the hon. Member for Sheffield (Mr. Mundella) that, instead of the system succeeding on the Continent, it was an acknowledged failure. The hon. Member, indeed, gave them several reasons why it was a failure; but the failure was acknowledged. With these failures staring them in the face, he thought the House would hesitate before they took a step so opposed to the feelings of the people of this country. For a parallel to this legislation they must look a long way back indeed. They on his side of the House were often charged with pursuing a reactionary policy; but for a parallel to this policy of the Government they must look back for three centuries, when the Legislature imposed penalties for non-attendance at religious worship. That was now looked upon as the folly of a past age; he hoped the House would not sanction this attempt to go back upon it. The hon. Member for Sheffield, indeed, said that this was not a question of police or of magistrates—all was to be done by a pacific action and the genial influence of the school Boards. But were these Boards to have the power of levying fines and committing to gaol Her Majesty's subjects? ["No!"] He presumed the whole proceeding would take place according to the ordinary operation of law. Now, what was to take place if a fine were imposed and not paid? The only alternative was imprisonment. Here was a grand scheme for the elevation of the condition of the people commencing by sending the father to gaol, and his wife and family to the workhouse. But the advocates of compulsion always avoided that issue; they said that if the Act were passed there would never be occasion to put it in force. He ventured to say that nothing could be more dangerous than legislation of such an abortive character. Unpopular le-

[Committee—Clause 65.]



gislation provoked hatred; but abortive legislation engendered contempt. They had seen too many of their laws already turned into ridicule on account of their being due to impulsive legislation. This legislation was, as he believed, opposed to all the instincts and traditions of the people—it was introducing a tyrannical interference with domestic life, which the people of this country would be very slow to approve. It involved a substitution of State in lieu of domestic control. It was, as he ventured to say on Friday, specially directed against one class in the community. [“No, no!”] Why, what but one class in society would be affected by it? They did not mean to say that it was directed against the children of the upper classes; if so, he fancied there would be more heard in opposition to it; and further, it was legislation which, if adopted, they would never dare to enforce. He especially objected to permissive compulsion as an abdication of legislative responsibility; it was an attempt to throw the odium of compulsion upon the wealthy inhabitants of the district, instead of laying it upon the shoulders of those who alone ought to be responsible—namely, the Imperial Parliament. He therefore begged to move his Amendment.

Amendment proposed, in page 24, line 21, to leave out from the word “by laws” to the end of the Clause.—(*Mr. James Lowther.*)

MR. SERJEANT SIMON said, he had not hitherto taken part in this discussion, because he was reluctant to occupy the time of the House. But the question before the Committee was one which so deeply affected the constituency with which he was connected (Dewsbury), and on which they had formed so strong an opinion, that he felt bound to say a few words. The hon. Member for York (Mr. J. Lowther) had referred to certain analogies. He disliked tyranny as much as the hon. Member did, whether it appeared in the shape of a despotic Government or a democracy; but he could not see any analogy between these forms of Government and the measure before them, any more than there was in his other analogy between compulsory attendance at school and that obsolete law which compelled persons to attend some parish church. It

*Mr. J. Lowther*

would be a waste of time to attempt to show that there was a wide difference between coercing the consciences of men on matters of religion and compelling them to train their children as good citizens. He supported the principle of compulsion, and he only regretted that the right hon. Gentleman the Vice President of the Council had not seen it his duty to carry it further, for it seemed to him to be the necessary corollary of such a Bill as the present. He was willing to admit that there was no other ground for this compulsion than that required by the necessities of good government. It was only when parents failed in the duty which they owed both to their children and to the State, to train them up as good citizens, that the State was justified in stepping in and seeing that the duty was done. The principle was not a new one; for the law empowered the Court of Chancery to interfere in the case of orphans where property was concerned; and instances had been known of the State interfering and claiming children from parents who were not of orthodox religious opinions. But the right hon. Gentleman the Vice President of the Council dealt tenderly with compulsion; he was reluctant to approach it because of a mistaken idea that the feelings of the working classes were against it. With regard to the ratepayers, out of whose pockets the money for the schools would come, it was clearly their interest to see that when the schools were there the young people should be educated in them and brought up as good citizens and honest men, instead of being left to roam the streets and become criminals or paupers. Compulsory attendance, therefore, was the only guarantee which the taxpayers or the ratepayers could have that the taxes which were imposed or the rates which were levied for the support of the schools, were properly and efficiently applied. With regard to the working classes, as far as his experience went, he believed that, if they were polled, they would almost to a man be in favour of compulsion. [“No, no!”] He said as far as his experience went; and his intercourse with the working classes was not limited, for he had attended meetings where there were thousands of working men assembled; and when he was on his canvass the question was always asked whether he was in favour of compulsory

education, and he found there was but one opinion upon the subject. He regretted that the right hon. Gentleman had not gone further in the way of compulsion, because he regarded it as the duty of the State to enforce its own laws, not to cast it upon the shoulders of others to do so. Whether he would support the right hon. Gentleman he could not at that moment determine; but, most probably he would support him, because he regarded this as an experiment, and, as the right hon. Gentleman said, he believed that at the end of two years they would all be of one mind on the subject.

SIR CHARLES ADDERLEY said, the hon. and learned Gentleman (Mr. Serjeant Simon) contradicted himself. If the parents of the children were so unanimous in favour of the Bill, what was the use of compulsory clauses? The hon. and learned Gentleman called upon Parliament to compel the very parties whom he asserted to be willing and eager, and to need no compulsion. The hon. Gentleman argued as if the Government were stopping short and were not carrying out an essential principle of the Bill. But the question was this—was compulsion necessary for the whole body of the poorer classes for whom the Bill was intended? He held that it was not. Compulsory clauses if wanted at all were wanted only for a small portion—namely, for the most neglected children, and it was absolutely stigmatizing the working classes to push this obnoxious compulsory principle beyond what was needed, and assert it for the whole population. Now, so much did the right hon. Gentleman (Mr. W. E. Forster) feel that this was the case that it seemed as if the compulsory clause was so worded that it might have no effect. There was one plain idea which the right hon. Gentleman appeared to have been possessed with, and that was the creation of school Boards in every district, into which he expected the denominational schools would gradually merge; and accordingly the clauses relating to that subject were clear and complete. But on other points clauses seemed put up as mere shams for discussion. The right hon. Gentleman did not appear to think they would ever come into force, so that he need not care how they were drawn; he had tried this plan with the religious clauses—

though he had found out his mistake by this time—and now he was trying it with compulsion. If this clause was to be carried out, how was it to be done? The right hon. Gentleman said that the school Boards would see that the children should attend; but it did not appear that they had any means for doing so until in a subsequent part of the Bill it secured that attendance was to be enforced by the magistrates. Did the right hon. Gentleman intend to give the school Boards not only in the larger towns, but in the smaller towns of the country magisterial powers? If not, by what means were these Boards to lay hold of the children? How were they to come in contact with the parents, and to bring the law to bear upon them? There was no power or provision in the clause for doing all that. If the clause could somehow come into play, still it would only be with regard to a very small portion of the children of towns—those, namely, who were found wandering in the streets without visible means of occupation, and who were, indeed, the most neglected of children. But for those children there was already provision in the existing law; the Industrial Schools Act with very slight alterations might be made to provide for all the class of children for whom this most obnoxious clause was ever, by any possibility, applicable. It was a clause which would throw unpopularity over the whole of the Bill, and discredit the great system of national education which it was sought to bring into operation. The best way to induce the poorer classes to send their children to school was to make it clear to them that to send them there was for their advantage. The increasing demand for skilled labour was doing that, and for the more degraded class running loose about the streets there were already means for compulsion. He admitted that the Industrial Schools Act did not provide for the day education of those children whose parents or guardians were still living; but it would need but slight alteration to make it cover those cases. Such schools were frequently used as day schools, and were meant to be kept distinct from reformatories. Under all the circumstances he hoped the right hon. Gentleman would give the Committee a little more information as to how the clause was to act—that is, in what way different from the Industrial Schools



Act, and whether school Boards were to lay hold of children in the streets, and carry them off to school daily by a police of their own.

MR. W. E. FORSTER said, he hoped the Committee would allow him to appeal to them as to the real necessity which existed that the Bill should be proceeded with without any unnecessary waste of time. They had now arrived at a period of the Session when it was not desirable that the arguments which had been advanced on a point which had already been decided should be repeated. His hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon) would, under those circumstances, he felt sure, excuse him if he did not enter on the present occasion into the particular question which he had raised. The House had declared, by two large majorities, that compulsion should not be made universal throughout the country. But then it was urged by the hon. Member for York (Mr. J. Lowther) that there should be no compulsion at all, while the hon. Member for Brighton (Mr. Fawcett) who was in favour of compulsion, was of opinion that it would be better to have none than to introduce compulsory clauses into the Bill which were merely permissive, and which were not to be universal in their application. Well, without going over ground which he had already trodden he would simply observe that the principle of compulsion had been for some time acknowledged, and so far as its interference with the liberty of the subject was concerned, there could be little difference between direct and indirect compulsion. Then arose the question whether it was desirable to have permissive compulsion, and that compulsion applied only in certain districts, or whether it would be preferable to do without it altogether. The hon. Member for York contended that compulsion in any shape was contrary to public opinion and unpopular. But then it should be borne in mind that the clause under discussion contemplated that it should only be put in force where the public opinion of a district happened to pronounce itself in its favour through the Town Council, which was amenable to the public voice, or through the rate-payers themselves. The objection that it would make the measure unpopular did not, therefore, apply to the clause as it at present stood. Then came the objection that the principle was to be car-

ried out under the Bill in a very partial manner. But he could only repeat what he said on Friday—that one of the great advantages of the clause was that the experiment which would thus be tried would serve as an important guide in dealing with the question in the future. It would enable the Government to form a conclusion as to how compulsion was carried into effect by persons who took a great interest in the matter, and who were practically acquainted with all the circumstances and facts of the case. Hon. Members must decide for themselves whether they would or would not like the experiment to be tried; the Government would be very much guided by the decision of the Committee, and if the proposal were not sanctioned there that would be sufficient evidence of its unpopularity, and it would then be wiser for the Government not to press the clause. For his own part he should be glad to see the clause passed very much as it stood. He could assure the right hon. Baronet opposite (Sir Charles Adderley) that the clause had not been drawn carelessly, for there was not a single clause in the Bill which had been the subject of more care and attention on the part of the Government. When they reached the details of the clause he would be able to give reasons for every line contained in it. As to the objection that there would be no mode of enforcing the clause, it would be found, by reference to the words at the end of the page, that provision was made in the usual way for the by-laws being summarily carried out by the magistrates.

MR. HERMON said, he was of opinion that if compulsion was right and expedient it ought to be applied to the higher and middle as well as to the lower classes. There were many self-taught artisans who were better up in Greek, and even Hebrew, than hon. Members who were educated at the Universities. He did not like the principle of direct compulsion, and he felt convinced that the Government did not like it either. He believed it would tend to fill the gaols rather than the schools. According to the Bill, if their children failed to attend school, "every" parent would be fined—meaning thereby both the father and the mother, and if the fine were not paid they must go to gaol. Although, however, he objected to direct compulsion, he could say that the system of indirect compulsion had worked well

*Sir Charles Adderley*



in the manufacturing districts, and he would like to see it applied to the agricultural districts also.

MR. JACOB BRIGHT said, he should consider it a misfortune if the plan of the Government were not adopted by the House. As to the objection of the hon. Member for Preston (Mr. Hermon) that direct compulsion would cause many people to go to gaol, he believed that, with a general system of compulsory education, fewer persons would be in gaol than now. A magistrate of Manchester wrote to him that he had before him the other day four prisoners charged with breaking into a warehouse. Their ages were 13, 10, 9, and 9, and though mere children, they were "known thieves." As to the alleged unpopularity of compulsory education, the most popular candidate at the last election for Manchester was the late Mr. Ernest Jones, who made this one of the principal questions at every meeting he attended; and if it had not been for the minority clause, that gentleman would probably have been elected. In Manchester there was a strong desire for compulsion. He thought, however, that a general law would be tried at present under great disadvantages. It would be applied where public opinion was not ripe, and where compulsion had never been discussed or heard of. On the other hand, permissive compulsion would only be applied where a majority of the working classes were in its favour; and it would, therefore, in those instances be tried with success. The hon. Member for Carlisle (Mr. E. Potter) said that probably 40 places would adopt the principle of compulsory education. If only 20 places, or five, or if even one place adopted it, the precedent would be of the greatest service. Such places would pioneer the way, would show it was practicable, and would do much to enable Parliament to pass a general law. He had great admiration for the abilities of the hon. Member for Brighton (Mr. Fawcett); but if there were not in the House men of more practical minds than his, a long time would elapse before they could hope for measures of useful legislation.

MR. FAWCETT said, he thanked the hon. Member for that compliment, but experience showed that men who were impracticable one day became extremely practicable another day, and that almost every great measure had been advocated

at one stage of its existence by men who were called impracticable. The question of general direct compulsion having been decided—for the present Session, at all events, last Friday, the question now before the Committee was whether it would be better to have permissive compulsion, or no compulsion at all. Some hon. Members opposed this part of the Bill because they objected to all compulsion. He opposed the clause because permissive compulsion would cause the experiment to be tried in so unfavourable a manner that it would be difficult to apply a system of general compulsion for a great number of years. So far from affording useful guidance to Parliament, he believed that permissive compulsion would furnish no guidance at all, and would afford no test of the feeling of the country in favour of compulsion. The clause contained no machinery for applying compulsion, yet there was no case in which more delicate, complicated, and difficult machinery was required; and the local authorities received no help from the Legislature in working the system, but were allowed to bungle and confuse it as they pleased. Try the question by this test. With all their shortcomings, the Factory Acts had worked well; but, in all probability, if the clauses in those Acts had been permissive, they would have produced no effect at all. All permissive legislation in this country had proved a disastrous failure; and if the Factory Acts had failed through being permissive there would have been a prejudice against the extension of those Acts to other branches of industry. A county Member of that House, who had set up a school in his own parish, said to him that, though he had been long convinced that nothing could be done without compulsion, he would not vote for permissive compulsion; because it was one thing to go to people and say their children should be sent to school because the Imperial Parliament had laid it down as a matter of State policy, and quite another to worry and harry them with all sorts of vexatious restrictions, the grievance being intensified a hundred-fold by the fact that, if they lived perhaps 100 yards off, outside the parish, they would not be subject to compulsion. He wished to ask the hon. Member for Sheffield (Mr. Mundella) whether in the two boroughs with which he was acquainted—Sheffield and Not-



tingham—permissive legislation had had any effect? He (Mr. Fawcett) alleged that it had not. Three years ago the Workshops Act was passed, but the local authorities had been paralyzed in their intention to put the law in operation by the knowledge that just outside those boroughs lived thousands of working men who would not be subject to the regulations. Englishmen abhorred nothing more than exceptional legislation; and the thousands who had assembled in the Town Hall of Birmingham, or the Free Trade Hall of Manchester, and had been so enthusiastic in favour of compulsory education, would quickly alter their tone when they found that they were the subjects of such exceptional legislation, and that their towns might still be deluged with ignorance which had been permitted to grow up in the surrounding districts. It was idle for the friends of compulsion to ignore the fact that it could not be applied without, in the first instance, producing considerable hardship upon working men; and it was, therefore, the duty of the Committee to minimize the pecuniary loss which would be inflicted. General direct compulsion would affect the supply of juvenile labour, and, as a consequence, the rate of wages for adults; but, under a system of permissive compulsion, many compensating advantages would come into operation, and wages would not be raised because of the competition of juvenile labour in surrounding districts where compulsion was not applied. The friends of compulsion should carefully weigh the danger of their opponents being able to tell the working classes that they were the victims of exceptional legislation—because they deceived themselves if they thought that those persons opposed to compulsion would not, in many towns, form a powerful party. In places like Liverpool compulsion might be carried at the first election of the school Board, only to lead to agitation against exceptional legislation; and if the anti-compulsion party were strengthened at an ensuing municipal election, and the decision of the present authorities were reversed, it would be ten times more difficult to apply compulsion. It should not be forgotten that individual cases of hardship would be sure to occur, and would be pointed to by the reactionists as justifying them in the course they

*Mr. Fawcett*

had taken. It was not dignified for Parliament to leave to the local authorities the decision of a great question. They were told that the people were not prepared for compulsion. If so, was it justifiable to hand the power over to the local authorities? Next Session the Factory Acts would have to be consolidated, the Workshops Act to be amended, and they would have to legislate respecting children employed in agriculture. He appealed to the Government whether all these reforms would not be rendered far more difficult if by the passing of permissive compulsion the Committee sanctioned the extraordinary anomaly that, with regard to children at work, Parliament would decree that they should attend school; while as to those who were not at work, the question whether they should attend school might be left to the shifting and arbitrary caprice of the local authorities?

MR. STEPHEN CAVE said, that a difficulty had occurred to him which had not been mentioned; according to the ordinary rule the greatest punishment that could be inflicted on a boy at school was expulsion. Under indirect compulsion expulsion was still the greatest punishment, and it was the interest of a lad and of his parents that he should remain at school and escape expulsion, otherwise he could not obtain a certificate, which would enable him to get employment. Now, under direct compulsion, this power would be lost altogether. If the parent objected to the boy being at school it would be his interest that he should be expelled, and the boy would probably have no objection. How, with the present ideas about other kinds of punishment, could discipline be maintained? He did not know whether it had occurred to the Vice President of the Council to consider whether he could devise some substitute by which discipline would be preserved.

MR. DIXON said, he could not on this occasion go into the Lobby with his hon. Friend the Member for Brighton (Mr. Fawcett). The Vice President of the Council had intimated that this was not a vital point, and that hon. Members on this question ought to be allowed to vote as they liked. Now, nobody in the House had been in more direct or constant communication with the working classes and others outside the House on this question than he (Mr. Dixon),



and he wished to state that during the progress of the Bill through Committee he had received no intimation whatever that it was the wish of the working classes that the clause under discussion should be expunged from the Bill, although there had been full opportunity of taking the question into consideration, numerous meetings having been held in London and elsewhere to discuss the subject. The general feeling outside was so strongly in favour of direct compulsion, that they preferred compulsion in a permissive form rather than not to have it at all; and they regarded the clause as a recognition of an important principle.

Question put, "That the words 'for all or any of the following purposes' stand part of the Clause."

The Committee *divided*:—Ayes 274; Noes 119: Majority 155.

MR. WELBY, in moving that the age during which boys should be liable to be compelled to attend school should be limited to from 5 to 10 years old, said, that as the House had decided that power should be given to compel the attendance of children at school, the question of the limits within which that power was to be exercised became of the utmost practical importance, and he wished to state why he could not approve of the proposals of the Government in the Bill, or of the various modifications suggested. He took his stand on the broad ground that it was necessary that after 10 years old there should be absolutely no restrictions on the labour of boys, such as would be involved by compulsory attendance at school. He should confine his remarks to the agricultural districts, though he believed as strong a case might be made out for the towns, and he would be most unwilling to ask the House to accept any crude opinions or unsupported assertion of his own. The House, however, had at its command ample means for forming a correct judgment, through the labour of the Agricultural Employment Commissioners, and it was on their Reports that he should found his arguments. His quotations, though very short, would in every case, represent a great body of evidence, and he should show from them—first, the immense inconvenience to farmers; secondly, the

grievous hardship to labourers which would be caused by keeping their boys at school after 10 years old; and, thirdly, that such inconvenience and hardship were wholly unnecessary. With regard to the farmers, they deserved the most favourable consideration of the House not only on account of the importance of the due cultivation of the soil, but because of the admirable spirit in which they had everywhere met the inquiries of the Commissioners. The Reports of the present Bishop of Manchester, then one of the Assistant Commissioners, and of Mr. Tremenhoe, were conclusive of the desire of the farmers and landowners to promote education, by excluding all children under 10 years of age from work. So that, as far as the farmers were concerned, they were quite ready, though at a considerable sacrifice to themselves, to dispense with the labour of boys up to 10 years old. But after 10 it was a very different story. Then, as the evidence repeatedly showed, a boy became of constant use upon a farm, and was usually employed continuously through the whole year. But the case of hardship to the labourer was stronger still. To estimate this, let the House remember that after 10 a boy could obtain continuous employment; but to insist on his attendance at school up to 12 or 13 years of age, even during the winter months, would be to deprive him of his yearly hiring. The farmers might get bigger boys to do the work; but the earnings of the younger ones would be lost to the families, and this would fall hardest on those large families of young children which wanted the money most. What, then, could a boy of 10 years old earn? There were very few counties in England where such a boy could not earn 6*d.* a day. Where he could not the rate of wages was low, and the money proportionately valuable. In some places he earned much more; in Berkshire, for instance, a boy of 10 to 12 earned commonly 3*s.* to 4*s.* a week, with 20*s.* to 30*s.*, or even £2 at Michaelmas. In Yorkshire, boys earned 10*d.* to 1*s.* a day, and in Cumberland and Westmoreland even as much as 1*s.* 6*d.* to 2*s.* a day turnip thinning. The earnings of a boy of 10 or 12 years might be taken to average one-sixth of the wages of his father; and frequently, if the father was out of work, he was the only bread-winner of the family:



and the Commissioners and the Inspectors unanimously stated that such was the poverty of the labouring families that those earnings could not possibly be spared. But, it might be said, this may be all very true and very sad, but educational considerations must be paramount. Was it then necessary, even in that point of view, to keep boys after 10? It would be generally admitted that the amount of education represented by the fourth standard of the Revised Code—that was the power of reading fairly, writing from dictation, and doing sums in the first four rules of arithmetic—was sufficient for a labourer's child. Mr. Tremenhoe said—

"It is acknowledged on all hands that when once a child has been able to satisfy the requirements of the fourth standard, it does not readily forget what it has learnt, and that a moderate amount of after application is sufficient to keep up and extend it."

The most valuable evidence on this point was that of the school teachers, who might be expected to lean in an opposite direction. Mr. Culley consulted 16 of them in Bedfordshire and 11 in Buckinghamshire, and said the following might be taken as the answer of them all—"Granted a regular school attendance from five (some say six) years of age up to 10, a child of ordinary ability would be able to read and write, and use the first four rules of arithmetic with facility;" and the school teachers of Northamptonshire wrote to Mr. Norman that there was "a singular unanimity of opinion" among them that, with such schooling as had been already described, a labourer's child at 10 years old "would fairly reach the fifth standard of the Revised Code." There was plenty of evidence that their knowledge could be easily kept up by night schools and similar means which would not interfere with farm work. If, then, in conclusion, it was not necessary to keep boys after 10, was it wise to do so? The House must recollect that even permissive compulsion went far beyond the principle of the Factory Acts, and was to be extended to districts which were utterly unprepared for it. The certainty of inconvenience to the farmers and hardship to the labourers had been proved; you ran the risk, in addition, of destroying what little independence and providence the agricultural labourer now possessed, because to deprive him of his children's

earnings would frequently force him to seek the aid of charity in some shape; you ran the risk, too, of outstripping public opinion, and of causing the hostility of the very classes on whose co-operation the success of your measure depended. For the sake, then, of agriculture, for the sake of struggling poverty, for the sake of the general acceptance and successful working of this measure, let the House proceed cautiously and deal gently in this matter. Send the children to school at five by all means; keep the girls there till 12 if you liked; encourage the boys by every possible inducement to stay as long as they could; but do not prevent them by force, after they were 10 years old, from earning all they could towards the support of themselves and their little brothers and sisters. He would beg to move in page 24, line 22, to leave out "children," and insert "boys above the age of five years and under the age of ten years, and of girls."

Mr. W. E. FORSTER said, it might be convenient to the Committee, as several Amendments stood on the Paper in relation to the age at which children were to be compelled to attend school, if he stated at once the modification which the Government proposed to make in the clause. As the clause at present stood the school Boards were allowed no margin for discretion; if the by-laws were to be enforced at all, they must embrace all children between the ages of 5 and 12. Perhaps, upon the whole, it would be better to give the districts themselves the discretion of fixing the age at which the attendance should be enforced. He thought, however, it was right that there should be a minimum and a maximum age, and he accordingly would propose, instead of the words "children above the age of five years and under the age of twelve years," to substitute "children not less than five nor more than thirteen years, as may be fixed by the by-laws." Thirteen years would give a greater margin, and in some town districts it might be desirable to have extended limits. He trusted that Amendment would be accepted.

Mr. CANDLISH said, he was obliged to his right hon. Friend for having made this Amendment. He thought, however, the minimum should be fixed at six years instead of five years, which was too tender an age for compulsion.

*Mr. Welby*

MR. W. E. FORSTER said, he would remind his hon. Friend that the by-laws must be revised by the Education Department.

Amendment, by leave, *withdrawn*.

Amendment proposed, in page 24, line 22, to leave out the words "above the age of five years and under the age of twelve years," in order to insert, "not less than five nor more than thirteen years of age, as may be fixed by the by-laws"—(*Mr. W. E. Forster*)—instead thereof.

LORD JOHN MANNERS said, he was inclined to think that the suggestion of the hon. Member for Sunderland (Mr. Candlish) was a good one. There were many children of five years of age who, on account of ill-health, ought not to be compelled to attend school.

MR. W. E. FORSTER said, that that case was provided for.

MR. COWPER-TEMPLE said, he believed it would be a mistake not to retain five as the minimum age at which compulsion might be enforced under certain circumstances. Many children attended infant schools at three.

MR. BAINES said, no doubt many children of three attended school with great advantage; but he agreed with the hon. Member for Sunderland that five was too tender an age for compulsory attendance.

MR. W. E. FORSTER said, he was willing, if the Committee wished it, to make six years the minimum.

VISCOUNT GALWAY said, he hoped that care would be taken not to discourage attendance at night schools, which tended so much to improve the education of the labouring classes in agricultural districts.

MR. DIXON said, the House had been told that it was very unlikely that these compulsory clauses would be put in operation in the case of children under the age of 10. Under the Factory Act, however, children were worked as early as they could earn wages. It was right, then, that they should go to school early. But they were told that six ought to be substituted for five. The hon. Member for Leeds (Mr. Baines) was of opinion that it was of great advantage to children to go to infant schools at a still earlier age. They knew that children were often sent to school at three years,

and he had heard of cases where the children had only been 20 months old. Any unavoidable cause of absence would be admitted as an excuse. He must express his great disappointment that the Vice President of the Council should have consented to what he (Mr. Dixon) deemed a totally unnecessary alteration.

LORD ROBERT MONTAGU said, he did not believe that the slightest advantage was produced by the attendance of children at school at too early an age. They were not sent to school to learn, but in order to be kept out of mischief while the mother was at work. He did not think it would be well to allow school Boards to make compulsory laws in such cases. He thought that parents would like to keep their children at home till six years of age.

MR. MELLY said, it would be well that children should be sent to school without the intervention of the gutter, and without the risk of the fire at home.

MR. W. E. FORSTER said after what he had heard he should be in favour of five.

MR. CANDLISH moved to amend the Amendment, by substituting "six" for "five."

MR. STEPHEN CAVE would vote in favour of "five," as his experience was quite different from that of the hon. Member for Sunderland (Mr. Candlish). He had seen children of two years old in infant schools, and though they could not be taught much book learning, and certainly dogmatic theology would run off them like water off a duck's back, yet it was not too early to inculcate good habits. It had been said that we paid too much attention to principles, and too little to habits—that though good principles were good things, strong confirmed habits were better. Certainly, it was never too early to inculcate habits of decency, cleanliness, and order. Besides, children thus brought up learned more rapidly than those who had passed their time in the gutter. The difficulty was to obtain time for education without trenching on the time for gaining a living. He believed that a system of beginning early and ending early would present a solution of that difficulty, and that the infant school and night school would well supplement the ordinary school.

MR. DISRAELI said, he hoped the Committee would not divide. He was

[Committee—Clause 65.]



prepared to support the proposition of the Government, whether it was "five" or "six," as that was the only mode by which they could make real progress with the Bill.

Amendment, by leave, *withdrawn*.

Amendment (Mr. W. E. Forster) agreed to.

MR. SERJEANT SIMON moved in page 24, sub-section 2, line 28, after "subjects," to insert—

"Or shall require any child to attend school on any day or occasion set apart for religious observance by the religious body to which his parent belongs."

Amendment agreed to.

MR. FAWCETT said, he would suggest an Amendment, to the effect that the number of days on which a child should be required to attend school should be raised from 200 to 300.

MR. W. E. FORSTER said, that the number of days' attendance would be regulated by the by-laws in accordance with the circumstances of a district.

MR. FAWCETT said, he should say nothing further on the subject, as it appeared there was to be permissive compulsion, permissive school aid, and permissive time.

Amendment proposed in page 24, line 42, to leave out the words "within one mile" and insert "not exceeding three miles" agreed to.

COLONEL BRISE said, he rose to move as an Amendment, in page 24, after line 43, to insert—

"Where there is no school Board in a school district, upon receiving a requisition from the managers of all public elementary schools in their district asking for the same compulsory powers as given to school Boards, together with a copy of a resolution to the same effect carried at a vestry meeting by a majority of at least two-thirds of the ratepayers in the same district, it shall be lawful for the Education Department to allow these by-laws to be put in force, and they shall have the same effect as if they were made by-laws by a school Board exercising powers under this Act."

His object was to give school managers the power of putting the compulsory clauses in operation, under the conditions he had specified; and though the Government had by a recent Amendment to some extent anticipated his views, he yet thought that it would be desirable for the Committee to adopt this Amendment. He was a firm advocate of the principle of compulsion, for his experience had always been that the great impediment to the spread of education

Mr. Disraeli

was the difficulty of enforcing the children's attendance. He believed that in the rural districts—he had no knowledge of what might be the case in the towns—persons would be elected under the Act who would be animated by an earnest desire to carry out its compulsory provisions not in the mere letter of the law, but in the spirit of love. They would put it in force with discretion and forbearance, and so enforced there would be little need either of the policemen or of the magistrate. Cases, no doubt, would happen where parents neglected the duty they owed to God and man in the matter of the education of their offspring, and where the children would have to be plucked, as brands out of the burning, from passing all their time in houses where little but foul language and vile habits were to be learned. But he was hopeful that in the main the population would take kindly to the measure. The great difficulty to contend with in his own neighbourhood were the "straw-plaiting" schools. He had found that the attendance at some national schools in his district had diminished from 100 to 35 children, and upon inquiry he found that 50 or 60 of them were huddled together in a so-called "industrial" school; where under the charge of one old woman, they were engaged not in learning to read or to write, but in plaiting straw. In another district, out of 300 children, 150 were similarly occupied. Something, however, was to be attributed to the indifference with which Dissenters regarded these national schools in the management of which they had no share. He hoped that a better state of things would prevail under this Bill.

MR. W. E. FORSTER said, while sympathizing with the object of the hon. and gallant Gentleman, he must express a serious doubt whether the proposed Amendment would answer the purpose it was intended for. The Government had already consented to words which enabled every district that wished it to apply the compulsory provisions of the Act; but there would be considerable objections to placing the initiative in the hands of the managers, and any such attempt on their part would be sure to be misunderstood. He would recommend the hon. Gentleman not to press the Amendment.

Amendment, by leave, *withdrawn*.



LORD ROBERT MONTAGU said, he would propose an Amendment, Notice of which had been given by the noble Lord the Member for Cambridgeshire (Lord George Manners), in line 43, after "child," to insert—

"4. That the child is ten years of age, and holds certificates from an Inspector of having passed the fourth standard."

MR. W. E. FORSTER said, the first part was not consistent with the clauses already passed, and he should be loth to insert the latter words.

Amendment, by leave, *withdrawn*.

MR. PELL (for Mr. C. S. READ) proposed as an Amendment, in page 25, line 3, after "five shillings," to insert "including costs." He thought the Act would work better without any uncertainty in that respect. The penalties might otherwise become excessive, and might bring the parents to the verge of distress. He would also like to know how often the penalty could be imposed.

MR. W. E. FORSTER said, he concurred in the spirit of the Amendment. His experience led him to think that the whole question of costs, as regarded conviction for small offences, would require reconsidering. When acting as a magistrate he had often felt the hardship of the present system. He, however, did not think the words suggested by the hon. Member would answer. He would suggest that the limit should be fixed at 10s. instead of 5s., for he was afraid that it would often happen that the costs could not be brought within the limit proposed by the Amendment.

MR. DIXON said, he hoped that the right hon. Gentleman would accept the Amendment as it stood; otherwise the result would be that the fine would never be less than 5s. It happened only the other day that a girl, 12 years of age, was fined 1s. or 2s. for some trifling offence, and 13s. costs. The latter could not be paid by the father, and the little one was sentenced to go to prison for 10 days. The Committee should be careful to guard against the possibility of such a thing happening under this Bill. He felt sure that with heavy costs in addition to a penalty compulsion would cease in many districts.

SIR GEORGE JENKINSON said, that even for the most trivial offence the costs were seldom less than 8s. 6d., and the magistrates had no power to remit them unless they had put into operation

the Act for the payment of magistrates' clerks by fixed salary. He regretted that that wise and just Act was not more generally adopted. He should be glad if the right hon. Gentleman would give them some more definite information as to the probable manner of the operation of this clause, because he saw great difficulties in the way of it.

MR. W. E. FORSTER said, he could not answer the hon. Baronet's question at present, nor until by-laws had been suggested by various districts. Officers would probably be appointed to warn the parents of every child who was absent from school; but magisterial authority would not be brought to bear until warnings were found to be ineffectual. With regard to the particular question before the Committee, he would suggest the words, "not to exceed such amount as with costs will amount to five shillings."

SIR JOHN PAKINGTON said, he approved of the Amendment. Nothing would more impede the working of the clause than making the penalty too high.

Amendment, by leave, *withdrawn*.

Amendment (Mr. W. E. Forster) agreed to.

MR. DIXON said, he would beg to move, in page 25, line 4, to leave out from "laid" to the end of the clause, and insert "sanctioned by the Education Department." As the clause stood by-laws could not come into operation except during the sitting of Parliament, and consequently a delay of six months might occur. The power of sanctioning these by-laws during the Recess might safely be conferred on the Education Department, which he felt assured would exercise it so discreetly that the subsequent laying of the by-laws on the Table of the House would be a mere matter of form. In Birmingham and other large towns the by-laws probably would not be framed till after the close of next Session, and consequently this part of the Bill would be a dead letter till Parliament met in 1872. It was to remove this inconvenience that he proposed the Amendment.

SIR JOHN PAKINGTON said, he would support the Amendment. It appeared to him very doubtful whether Parliament ought to be troubled at all with these by-laws. Parliament would be a bad judge while the Education Department would be a competent judge.

[ Committee—Clause 65.

MR. HIBBERT said, he thought that after the necessary sanction was given by the Education Department the by-laws should be laid before Parliament in the annual Report. With that condition he supported the Amendment.

MR. W. E. FORSTER said, this Proviso was inserted because it was considered that Parliament might like to keep the control in its own hands. He did not think there would be any educational advantage in retaining the Proviso.

MR. DICKINSON said, he was of opinion some Proviso ought to be made for the improvement of the by-laws.

VISCOUNT SANDON said, there was no Proviso in the clause for the publication of the by-laws in the locality where they were to operate. He thought each locality ought to have an opportunity of expressing its opinion as to the desirability of adopting the compulsory clauses of the Bill.

MR. W. E. FORSTER said, he would undertake to carry out the noble Lord's suggestion, and would insert words in the clause to carry out the object aimed at by the hon. Member for Birmingham (Mr. Dixon).

Amendment, by leave, *withdrawn*.

MR. ACLAND said, he wished to ask if the legal expenses connected with the drawing up of by-laws in each locality could be avoided?

MR. LIDDELL said, he thought it a serious omission, that although the school Boards might force children to attend school, the Bill did not empower them to compel those parents of such children who were able to pay the school fees.

MR. W. E. FORSTER said, he would consider the various suggestions that had been made.

MR. CANDLISH said, he thought there should be a summary mode of recovering fees.

MR. WHEELHOUSE said, he wished to know whether blindness or deafness was to be held as a reasonable excuse for non attendance under this clause? He thought that a clause should be brought up on the Report providing for the education of the blind and the deaf and dumb.

MR. M'LAREN said, he proposed, on the Report, to move words making it clear that the school Boards might devote part of the funds at their disposal

to the education of the deaf and blind. He would suggest some such plan as giving the master £2 per annum extra for undertaking the extra duty.

MR. W. E. FORSTER said, he was as anxious as anyone for the education of those persons, but he doubted whether a general Education Bill was the place to make such provision. He would find out whether the power referred to by the hon. Member who spoke last was given to the school Board by the Bill, and if not, he would endeavour to consider favourably the hon. Gentleman's suggestion.

Clause, as amended, *agreed to*.

Clause 66 (Application of small endowments).

MR. W. E. FORSTER in moving in page 25, line 25, to leave out "1868," and insert "1869," said, the Endowed Schools Act of 1869 did not apply to endowed schools in receipt of a Parliamentary Grant, and it was proposed now to give power to the Governing Body of such endowments as did not come within the scope of last year's Act to submit schemes if they thought their endowments should not be applied to the reduction of the rates or taxes.

MR. PARKER said, he hoped the Educational Department would have full power to prevent the application of these endowments for relieving the ratepayer.

Amendment *agreed to*.

Amendment made, in Clause 66, page 25, line 27, after "Act," to insert as a separate paragraph—

"A certificate of the Education Department that a school was at the commencement of the Endowed Schools Act, 1869, in receipt of an annual Parliamentary Grant shall be conclusive evidence of that fact for all purposes."—(Mr. W. E. Forster.)

MR. PELL said, the Committee was aware that the Education Department at present treated endowments made by persons still living as subscriptions; but in the case of an endowment made by a person deceased the Government Grant was denied to the school when the endowment and the grant resulting from examination amounted to 15s. per head of the average attendance; and in this way the endowment would really be used to relieve the Consolidated Fund. The clause as it stood at present would compel voluntary schools to give up their endowments and to become rate-sup-



ported schools, and would prohibit rate-supported schools from accepting the assistance of endowments. The amount of the endowment withdrawn would have to be made up as a charge on real property by means of an education rate. The clause would also prevent the formation of united school districts where any of the schools in the districts held endowments. The subject was a very important one, because in Leicestershire alone the school endowments for educational purposes under £100 per annum were 91 in number, producing an average of £16 per annum for each parish, besides three or four additional endowments given by the Dissenters. Under these circumstances, he begged leave to move the Amendment of which he had given Notice.

#### Amendment proposed,

In page 25, line 27, after the word "Act," to add the words "Provided always, That for all the purposes of this Act and of the Parliamentary Grant, any endowment of a school applied by school managers of a public elementary school to educational purposes contemplated by this Act, shall be treated by the Education Department as subscriptions, and if so applied by a school Board, such endowment shall be treated by the Education Department as funds raised out of rates."—*(Mr. Pell.)*

Mr. W. E. FORSTER said, that the Amendment of the hon. Member ought really to have been brought forward as a clause in place of the clause in the Bill. The clause of the Government proposed to enable the Governing Body of a school to make any suggestions as to what should be done with its endowments; but if the Amendment of the hon. Member were adopted, and their endowments were to be absolutely applied to the reduction of the rates, the clause might as well be struck out, because no discretion whatever would be left to the Governing Body. He confessed he looked forward to these old endowments being appropriated for the purpose of providing education of a superior character for the more clever boys in the school; but he had no desire at the present moment to anticipate this question, which would have to be discussed in Parliament when the Code came to be considered.

Mr. W. H. SMITH said, he hoped the right hon. Gentleman (Mr. W. E. Forster) would accept the Amendment. Its object was to prevent a parish from being deprived of its property. He knew

a case where a clergyman in a country parish persuaded his parishioners to have an endowment for giving a dole of bread changed in its application so as to be available for educational purposes. The result was that the Education Board diminished its grant by the amount so realized.

Mr. DIXON said, he hoped the right hon. Gentleman would not accept the Amendment. It would be most unjust to apply these endowments towards the reduction of the rates.

Mr. G. B. GREGORY said, he would point out, as the original founder of the endowment had appropriated that portion of his property for benevolent purposes, it was unfair again to tax the property by means of a rate.

Mr. W. E. FORSTER said, he hoped the hon. Member (Mr. Pell) would be content with having raised the question and would not press his Amendment, to which it was impossible that the Government could assent.

Mr. PELL said, he wished to know what was to become of these small endowments. He should not be doing his duty if he did not press the matter to a division.

Mr. ACLAND said, the endowments would be dealt with by the Endowed Schools Commissioners if the Amendment of the hon. Member were rejected. He (Mr. Acland) was trustee of two schools which had been struggling for years past to get properly managed.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 23; Noes 103: Majority 80.

Clause ordered to stand part of the Bill.

Clauses 67 to 80, inclusive, *agreed to*.

Clause 81 (Parliamentary Grant to public school only).

Mr. CANDLISH said, he would beg to move, in page 27, line 36, after "Act," to insert—

"Nor to any school which is not in receipt of an annual Parliamentary grant at the date of the passing of this Act, unless it is a school provided by a school Board."

So long as religion was taught within secular schools religion was practically being taught by means of Parliamentary Grants. This was contrary to the principle so stoutly and nobly maintained by the Government last year when they re-



solved that the funds of the disendowed Irish Church should not be applied by way of concurrent endowment. If further denominational schools were brought into existence by this Bill, Parliament would be adopting this year a principle which last year they repudiated. Besides, to do so was to commit a mistake in policy. The country might very well accept things as they were, and acquiesce in the continuance to existing schools of the grants they now enjoyed. But the grant of public money to new denominational schools would cause irritation both throughout the country and in Parliament. By the 14th clause the Government excluded creeds, catechisms, and formularies, thereby reflecting the mind of Parliament. The Amendment was in harmony with the spirit of that clause, and was made with no hostility to the Bill, though the feelings of the Nonconformists, who were at least a moiety of the people, had not been conciliated—he might almost say they had been outraged—on this question. He hoped even now that the Government would accept his Amendment.

#### Amendment proposed,

At the end of the Clause, to add the words "nor to any school which is not in receipt of an annual Parliamentary Grant at the date of the passing of this Act, unless it is a school provided by a school Board."—(*Mr. Candlish.*)

MR. DIXON said, he would support the Amendment. He hoped that his hon. Friend (Mr. Candlish) would go to a Division in order that the country might clearly understand the position which his party occupied in reference to the question. Although there was no hope of the principle embodied in the Amendment being carried, for the Committee had already decided against it, he wished to enter a formal protest against what he considered to be the erroneous and mistaken policy adopted by the Government in this Bill. He objected not merely to giving Parliamentary Grants to new schools to be hereafter erected upon the voluntary or denominational principle, but also to the increase of Parliamentary Grants to existing denominational schools. There existed a wide-spread feeling of disappointment throughout the country on this subject, and it was thought that the result of the adoption of the present policy would be an increase of grants to

Roman Catholic schools, and especially to Roman Catholic schools in Ireland. The voice of the country was rising, and he felt it to be his duty to warn the House against the policy they were about to pursue, for it would create religious dissensions which would benefit neither religion nor education.

MR. W. E. FORSTER said, while regretting that he was so frequently compelled to differ from the hon. Member for Sunderland (Mr. Candlish), he could not but acknowledge the desire exhibited both by his hon. Friend and the hon. Member for Birmingham (Mr. Dixon) to promote the cause of religious education. He hoped the Committee would excuse him if he did not go over the arguments which he had had more than one opportunity of enforcing, and he would refer hon. Members to what he had already said in regard to what was called "concurrent endowment." Now they did not consider they were giving grants to sectarian schools. The money that was continued to schools in which there was sectarian teaching was not given to sectarianism, but for the support of the secular element. If efficiency was not supplied by voluntary action, of course it would be understood that the assistance of the State would be withheld. They had got off the religious question, and, important as it was, he hoped they would not get on to it again. Rates had now come to be looked on as a more serious matter than at first, and there would be a considerable increase in them if they threw up the voluntary assistance. Besides, there were throughout the country many voluntary schools which received no Parliamentary aid, but which gave some kind of education to vast numbers of children. He would be glad to see such schools made places where a really good and efficient secular education would be given, and this would mean an immense saving in the rates. But all hope of this would disappear if the Amendment of his hon. Friend was accepted. He thought that as a matter of justice, persons who preferred schools where what was called sectarian teaching was given as well as secular, ought not on that account to be deprived of their share of the public taxes. It would be a mockery to call for voluntary action to supply the deficiency of education, and yet refuse any assistance from Parliament. As to the remark that the clause was contrary

· *Mr. Candlish*

to the principle of the Bill, he might be permitted at once to state what the principle was. It was to bring within reach of every cottage in the kingdom a good secular education. It had never been his principle, or that of the Government, to decide by any regulations of the Ministry or even of that House exactly what kind of education that should be. If they attained an efficient secular education they would have effected the object they had in view whether it was accompanied or not by any specific form of denominational education.

MR. AUBERON HERBERT said, it was plain that the country had declared against the denominational system, however his right hon. Friend (Mr. W. E. Forster) might hesitate to accept that verdict. It had been said that they only paid for secular results. But could these different schools exist without the Parliamentary Grant? If not, then the money was a real payment for religious instruction. They should give children a good secular education in order to enable them to make a wise choice in regard to religion. The country condemned the system of supporting sectarian education by Parliamentary Grants because they perceived that such a system of education created separation where unity ought to exist, because it led to waste in an administrative point of view; because it was willing to pay for all religious systems indifferently, being therein immoral from a religious point of view; and because it was a system which was retrograde from a Liberal point of view. He could not help feeling that the measure they were discussing was not so much a Bill as a bundle of permissions.

LORD JOHN MANNERS said, he regarded it as a somewhat strange circumstance that the country, if holding such opinions as those referred to by the hon. Gentleman who had just spoken, should not have given any expression to them during the two or three months that this measure had been before the House. He would remind the hon. Gentleman that at the present moment something like 6,000 denominational schools existed in connection with the Church of England without receiving Parliamentary Grants. When the hon. Member for Sunderland (Mr. Candlish) declared he spoke on behalf of the Dissenters, who numbered one moiety of

the population of the country, he begged leave to say he doubted the accuracy of the hon. Gentleman's figures. At all events, the House would, no doubt, be glad if the hon. Member, when they came to discuss the Census Bill, would furnish them with some proof of the statement, and render some aid in solving the question as to the relative numbers of Churchmen and Dissenters. The hon. Member said that the country was against the extension of the denominational system; but that House represented the country, and the great majority of Members were in favour of this system. He would support the Government, in the belief that it was the fixed determination of the country to afford fair play to the maintenance and legitimate extension of voluntary schools.

MR. HIBBERT said, he could not support the Amendment, because he thought that the Bill gave the greatest liberty to all persons in the country to establish what character of school they pleased. They might establish a denominational school, or an undenominational school—that was, a school in which no sectarian teaching was given, but in which the Bible was read—or they might, under Clause 82, have a school in which no religious instruction was given.

MR. WHITWELL said, he would vote for the Amendment, but on a practical ground, and not for the reasons which the hon. Member for Sunderland had given, as he should be sorry to see the question of religious instruction again brought under discussion. He was ready to support all voluntary schools now in existence, but he was not prepared to establish new voluntary schools. His firm opinion was that the Bill would never come into proper operation until school Boards were established throughout the country, and he did not wish to see one school pitted against another in the same parish. It was only by a common feeling that they could secure the best system of school education.

Question put, "That those words be there added."

The Committee divided:—Ayes 70; Noes 190: Majority 120.

MR. W. E. FORSTER said, he had now to propose the following addition to the clause:—

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[Committee—Clause 81.]



"No Parliamentary Grant out of such moneys shall be made in aid of building, enlarging, improving, or fitting up any elementary school, except in pursuance of a memorial duly signed and containing the information required by the Education Department for enabling them to decide on the application, and sent to the Education Department on or before the thirty-first day of December, one thousand eight hundred and seventy."

This was in accordance with the intimation made by his right hon. Friend at the head of the Government some weeks ago, and to which much allusion had been made in the debates. He had only, in addition, to say that the remarks made by some hon. Members when the rating clauses were under discussion led them to consider whether any assistance could be given in regard to buildings, not so much in the form of grants as of loans, to meet the case of districts where the rates would be felt more than in other places. He was therefore prepared, on the suggestion of his hon. Friend the Member for Stoke (Mr. Melly), to bring up on the Report an alteration in Clause 49. At present that clause contemplated giving power to the school Board to borrow from the Public Loan Commissioners, and to spread the payment of loans over a series of years not exceeding 30. It was stated that this would involve an annual charge of 6 per cent, but that was rather an exaggeration. It would, however, imply  $5\frac{1}{2}$  per cent, and therefore they now proposed to alter that clause so as to increase 30 to 50 years, and to put in the clause that the money might be borrowed at  $3\frac{1}{2}$  per cent, which would make an annual charge of about £4 6s. per cent. He believed this would be a greater assistance to school Boards than if the building grants had been continued. The building grants had hitherto been only about one-fifth of the expenses, and in towns where it was difficult to obtain land it was not even so much as one-fifth. At the same time, while making the terms of loan very advantageous, he should think it right to insert in the clause that the building must meet the approval of the Education Department. He moved, in line 36, after "Act" to insert as a separate paragraph, the words of his Amendment.

LORD ROBERT MONTAGU said, he approved of the Amendment in substance; but thought it would give an unfair advantage to the rate-paid schools.

*Mr. W. E. Forster*

The great charge which had always been preferred against the present system was, that it only helped those places which helped themselves, while it entirely neglected those districts which were unable to help themselves. That was the very charge which he brought against this Bill. The rich districts of the country, which were already well provided with schools, were to be assisted, whilst Bethnal Green, Whitechapel, and the other destitute districts which most needed schools, would have to provide them out of the rates, and thus a heavy burden would be cast upon the ratepayers of those districts. That was, in his opinion, a mistake. The only way in which they could truly bring home education to the doors of every child would be to make the rates light; otherwise the people, in course of time, when they began to groan under their load of taxation, would curse the day upon which the Bill was passed. In order to continue the power, which the Education Board now possessed, of making grants towards the expenses of building, enlarging, repairing, and fitting up schools and teachers' residences, he would move, in the last two lines, to leave out the words "on or before the thirty-first day of December, one thousand eight hundred and seventy."

MR. VERNON HARCOURT said, he was glad to find that the noble Lord (Lord Robert Montagu) had at length awoken to the importance of the rating question. Hon. Gentlemen opposite had hitherto displayed such a passion for denominationalism that he at one time thought they were prepared to throw overboard their old love, local taxation. He was glad, however, to find that this was not to be the case. The Vice President of the Council had told them that if they lowered the rates they would ruin the denominational schools — in fact, the issue that had been laid before them by that right hon. Gentleman was, that the rates were to be kept up in the country as a protective duty on denominational schools. ["Oh, oh!" and "No, no!"] The question had undoubtedly been put upon that ground by the Vice President of the Council, and it was a fair issue, which the country would understand. Now, he ventured to say that, although hon. Gentleman opposite might care very much about denominationalism, their



constituents, whether in town or country, would care a great deal more about the rates. Would they save anything by the money contributed in voluntary subscriptions? On the contrary, about £500,000 was raised yearly by subscription in aid of denominational schools; but they were going to impose a burden of millions of money upon the country in the shape of rates, which were to form a protective duty on denominational schools. What, in short, was proposed to be done was to purchase this £500,000 at the cost of some £3,000,000 or £4,000,000. That certainly was not a very economical transaction.

MR. W. E. FORSTER said, he wished to state that he had never said, and he was quite sure the Committee never understood him to say, that he was opposed to any reduction of the rate in order to keep up a protective duty in favour of voluntary schools. He was perfectly sure his hon. and learned Friend (Mr. Vernon Harcourt) could not find any words of his which ought to give such an impression. What occurred was this—As the Bill stood at present there was a protection in favour of the rated schools, because they would be built out of public money; and as he understood the proposition before the Committee, at the time, to be that assistance should be given to the rated and not to the voluntary schools, he said that would be an increased protection in favour of the rated schools. His hon. and learned Friend nodded assent. Well, then, how could his hon. and learned Friend say that, because he was not in favour of giving increased protection to rated schools he wished to establish protection in favour of voluntary schools? He would leave the Committee to judge of that matter. With regard to the Amendment of the noble Lord (Lord Robert Montagu), though it was only to strike out two lines, the effect would be to nullify the whole clause.

*Amendment negatived.*

MR. MELLY said, that the reason why he was opposed to the giving up of the building grants, that they gave the Education Department a guarantee that the schools would be well built.

SIR JOHN PAKINGTON said, he hoped the clause, as amended, would be reprinted before the Report was taken.

MR. AUBERON HERBERT said, that he had seen it stated in a newspaper that one person had subscribed £10,000 to the building fund, and another had subscribed £5,000. He had no objection to that. A period of six months should be given to the rate-aided schools for the purpose of securing assistance.

*Amendment agreed to.*

*Clause agreed to.*

Clause 82 (Conditions of annual Parliamentary Grant).

MR. W. E. FORSTER said, he would propose, in page 27, line 40, after "being," to insert—

"And shall, amongst other matters, provide that after the thirty-first day of March, one thousand eight hundred and seventy-one—

"(1.) Such grant shall not be made in respect of any instruction in religious subjects;

"(2.) Such grant shall not for any year exceed the income of the school for that year which was derived from sources other than the Parliamentary Grant."

He would combine that Amendment with other words to be moved at the end of the clause—to the effect that such conditions should not give any preference or advantage to any school on the ground that it was, or was not, provided by a school Board. These three propositions, taken together, were intended to carry out views which had been repeatedly expressed—namely, that they would insert in this clause a proviso that the Parliamentary Grant should not be given for religious instruction. He should have to explain, in drawing up the Code, how that would be enforced. At present the Parliamentary Grant was given in two forms. One payment was for results, to be ascertained by examination, and these results being secular in their nature the payment was for secular objects. The other mode in which payment was given was for attendance, and that, too, might be said to be for a secular object. But persons looking into the matter very strictly might consider the attendance to be for religious as well as secular instruction, and, therefore, to carry out the sub-section strictly they would be obliged to frame the Code in such a manner as to prevent any misconception on that head. The next sub-section was to show that the grant, notwithstanding any increase which was looked forward to, should not be more than the income of the school

[Committee—Clause 82.]

from other sources. He should afterwards move words in order to carry out the understanding, that no advantage or preference should be given to schools on the ground that they were, or were not, provided by a school Board.

MR. G. O. TREVELYAN said, that he had never hitherto ventured to address the House on any question to which he had not given special recent study; but that this question was intimately connected with the motives that induced every man in the House to choose his faith and his party, and that no one could be considered a fit representative who could not give his reason for the course he was going to take. This was the very first opportunity that the House had enjoyed of declaring itself upon the reason why the Bill was so much regarded on the other side of the House, and why it was received with such suspicion on his side of the House. When he and his Friends called themselves uncompromising advocates of unsectarian education, they must hold themselves prepared to show that the changes they advocated were not only tenable in theory, but could be put into practice at once. The Government might have thoroughly satisfied the advocates of unsectarian education. They might have brought in a scheme of secular education, or they might have brought in a comprehensive scheme of unsectarian education by means of school Boards throughout the country. He was very sorry that such an opportunity should have been lost of spreading throughout the rural districts of England the sense of responsibility and public duty. The Government should likewise have taken the training Colleges for masters out of the hands of the denominations into the custody of the nation. Another course still remained to the Government. They might have found some satisfactory definition for undenominational schools, and have applied that definition to all rate-founded schools, and then encouraged all schools to make themselves at once rate-supported and undenominational. The Government had taken half that scheme. They decided that undenominational schools should be the schools of the future, and then they offered a premium to denominational schools to assist them in the competition with those places of education which they had just now deliberately recommended to the nation as

models. What he wanted to impress upon the Committee was that this extension of the denominational grant was not part of the Bill, but was a parasitical growth, which ought never to have attached to it, and which ought now to be cut off. This principle was attached to the scheme in order to pass the Bill. In pursuing the course which he did he hoped he should not be considered either squeamish or Quixotic. Private Members stood in a much happier position than Members of the Government, for they were justified in voting for the Bill under protest, at a future time opposing the increased grant; but it would be the duty of the Government to press forward the increased grants, for which every Member of the Government would be bound to vote, however much it might be against the Liberal creed. He was not prepared to incur such an obligation. Hon. Members might think that he held these opinions somewhat strongly; but it must be remembered that politicians of his standing formed their beliefs and aspirations during the Irish Church agitation of 1868, and during that period Scotland and Wales, and many of the large towns of England, pronounced against denominational education. That election was, in large portions of the country, a crusade in favour of religious equality. Very great was the responsibility of confusing ideas of right and wrong by repudiating denominational ascendancy in Ireland, and then pouring out the public money like water in favour of denominational education. He wished to know what they would do in Scotland next year, for surely they could not force a denominational education upon the country against the votes of five-sixths of the unofficial Scotch Members. On the other hand, should they sacrifice their consistency, and allow Scotland to be ahead in the race? And then, what were they going to do in Ireland? Large subscriptions had been made by the Catholics to support their system, and if the Government sought to face the most denominational of all religions with a disjointed policy and an utter absence of any leading principle, he trembled for the result. He had not said enough to express the feelings of those who were anxious to see the Liberal party kept together not for the purpose of securing place, but to carry out great Liberal measures on



great Liberal principles. He believed, from the experience of last year, that they need not have been afraid of passing this measure through "another place," for they had proved that if they were willing they were able to carry through that place a great Liberal measure without infringing Liberal principles. And he must say that they regarded too much the wishes of the Church of England in this matter, on account of what it had done for education. They acknowledged that when the country neglected its duty the Church took up the question. The Dissenters were blamed for not having done as much; but they had first to pay for the education of their ministers and provide houses and chapels, while the Church of England had at the commencement £5,000,000 to help them in the competition. Still, though the Church did great things, that was no reason for deferring to its views so far as to spoil a great system of national education. For these reasons he felt bound to oppose the addition to the clause as proposed by the Vice President of the Council and this was why he had taken the painful step of leaving the Government. He knew that in political circles a subordinate who left the Government was regarded as occupying a very undignified position, and one which would be attended with almost fatal consequences to his future career. But there was something which was stronger than self-interest or fear of ridicule, and it was therefore impossible, when something of value was at stake, to vote straight in the teeth of one's creed. He acknowledged the pure and patriotic intentions of the Government, and respected their intentions, as every Member of the party still did, and as he hoped they would do for many years to come. He felt most acutely the accusations of presumption which would be freely brought against him, and nobody could be aware how deeply he regretted the necessity of putting himself in opposition to the Vice President of the Council except that right hon. Gentleman. But, after all, a man must shape his conduct according to his standard of right and wrong; and at this crisis of principle he felt that he could not rank himself against his own convictions.

DR. LYON PLAYFAIR: It is impossible not to admire the sincerity of conviction of my hon. Friend the Mem-

ber for the Border Burghs. He has given the highest proof of the importance which he attaches to the question before us; nevertheless, he deals with this Bill as if it were one for the political education, instead of for the elementary education of the people. Neither he, nor any advanced Liberal, has ventured to exclude denominational schools from the national system which we are about to establish. It would be impossible to do so, for they form the staple of our educational appliances, on which £20,000,000 have been spent in the last 30 years. He tolerates them as they are, and says if we give them no more aid they will undergo a painless extinction. I could understand their exclusion, but not their acceptance as part of a national system on such terms. To allow them to form part of our school system, with an expiring vitality, or with such want of energy that, like paupers, they would fall on the rates and be absorbed, would be unworthy of the nation. If we take these schools they must be rendered efficient, and this increased secular efficiency is the object of the augmented grants. Allow me to commend denominational schools in another point of view, for their evils should not alone be considered. There is no educational subject on which we on this side of the House are so united, as the necessity for compulsory education. Well, I know of no country in Europe in which compulsion has been effectively carried out, without a large infusion of denominational teaching. Holland is most advanced in her school system, which is practically secular, and for this very reason she has been unable to pass a compulsory law. Compulsion, in its very essence, involves resistance, and that becomes too strong for you, if you fight with men's religious convictions when they believe that religion should be taught at school. Prussia and Switzerland have compulsory laws, because the former has a denominational and the latter a separate confessional system of teaching. America, which has its religion of that neutral tint that my Friends near me admire so much, has failed in compulsion, because the religious bodies have not co-operated with her common school system. Baden is the only exception which occurs to me; but even there, if I had time, I could bring proofs in favour of my argument. Hence



denominational schools, instead of being opponents, are powerful auxiliaries of compulsory education. The Bill as it stands pays only for secular results, takes ample safeguards for conscience, and by securing a proper efficiency, both in rate and denominational schools, commences the new relations of the State to elementary education, in a fair and promising connection, worthy of the practical character of this nation.

MR. RICHARD said, that he had not hitherto taken any part in the discussions on the clauses of the Bill in Committee, partly because the *cacoethes loquendi* was not so strong upon him as it was on some hon. Gentlemen, but principally because the House, having listened to him with great patience and kindness while expounding his views on the subject at considerable length, when moving his Amendment on the Speaker leaving the Chair, he thought he could best testify his gratitude for that indulgence by not obtruding himself too often again upon its attention. But he wished to say a few words on the question of the extension of the denominational system that had been raised in the able speech of his hon. Friend the Member for the Border Burghs (Mr. Trevelyan). On that point he believed the Government had been playing into the hands of their adversaries. Not that he had any fault whatever to find with hon. Gentlemen opposite. They were contending for principles which they had always consistently upheld, and on behalf of which they had done valiant battle in the discussions on the Irish Church during the last Session of Parliament, for he contended with his hon. Friend the Member for Sunderland (Mr. Candlish) that the same principles were involved in this discussion as were involved in those discussions. No one could blame the hon. Gentlemen on the other side for eagerly accepting what was offered them by the Government measure, seeing that it was more, he ventured to say, than they had in their most sanguine moments dared to expect. Perhaps, he ought not to say that they had accepted it eagerly. They were too well versed in party tactics to do that. There was for a time a little make-believe hesitation on the pretence of great sacrifices being required of them. But that did not last long. After a brief interval of "coy, reluctant, amorous delay," they

had at length rushed completely into the open arms of the Vice President of the Council, and had been clasped in a fond embrace not without a considerable effusion of tender sentiment on either side, a spectacle which would perhaps have more touched the feelings of some of them on that side of the House if they had not suspected that in that fond embrace their interests were being betrayed. Nor could they much censure hon. Gentlemen opposite for having spoken so much of the concessions they were making, since that also was a boast put in their mouth by the First Minister of the Crown. He had heard of an advocate who had pleaded the cause of his client so eloquently, expatiated with such moving pathos on his virtues and wrongs, that the man himself, being in Court, burst into tears, and declared that he had no conception before how excellent and ill-used a person he was. That was the service which the Prime Minister had rendered to the hon. Gentlemen opposite. He had made them conscious of their own virtues. He had told them of the generous concessions they were making, while, he added, there were no corresponding concessions on the part of the Nonconformists—though what concessions the Nonconformists were expected to make, or indeed could make, seeing they had never enjoyed any exceptional privileges on this or any other subject, he was, he confessed, wholly at a loss to conceive. Be that as it might, hon. Gentlemen opposite were not slow to take the hint of the right hon. Gentleman, and ever since he spoke had shown their determination no longer "to blush unseen." But what were these large concessions? Not the Conscience Clause, for that had been conceded in principle years ago; partly because it was the only condition on which they could receive grants from the Privy Council, and partly also, he admitted, because many of the clergy had become so far liberal as to acknowledge the monstrous absurdity and injustice of compelling the children of Nonconformist parents to learn and recite forms and catechisms which they could not repeat without uttering a flagrant and deliberate falsehood. What other concession was there? Not the exclusion of catechisms and formularies from the rate-founded schools, for they had not conceded that. On the contrary,

*Dr. Lyon Playfair.*

they had resisted it; had spoken against it and voted against it. The right hon. Baronet the Member for North Devonshire (Sir Stafford Northcote), in moving his Amendment on that subject, advertising to the objections of the Nonconformists to the Bill, had recommended the Vice President of the Council—not in so many words, certainly, but such was the substance and purport of his recommendation—to throw the Nonconformists overboard. A more superfluous piece of advice was never given to any man. That was precisely what the right hon. Gentleman had done. He had thrown the whole body of Nonconformists overboard. [“No, no!”] Why, was there a single Nonconformist body in England and Wales who had not in some form or other pronounced in a most emphatic manner against the Government scheme in its present form? He would first take the powerful and influential body of Wesleyan Methodists, never held to be extreme on matters of this sort. What did his hon. Friend the Member for Lambeth (Mr. M’Arthur) tell them a few days after the Prime Minister had laid the new version of the measure before the House and the country? He told them that three Committees, appointed by the Wesleyan Body to take the matter into consideration, met and strongly condemned the proposed increase of aid to voluntary schools. There was an ancient and important representative body of Nonconformists known as the Deputies of the Three Denominations of Protestant Dissenters, Presbyterian, Independent, and Baptist. They also met under the presidency of his hon. Friend the Member for Hackney (Mr. Reed), and had condemned the new proposals of the Government because they left the religious teaching to be decided by local Boards, and extended the denominational system. His hon. Friend the Member for Sunderland had presented a Petition from the Baptist Union, representing, as he stated, some 2,000 churches, utterly rejecting the new scheme of the Government. He had himself, little more than a week ago, presented a Petition from the Committee of the Congregational Union of England and Wales, representing between 2,000 and 3,000 churches, in which they objected to the liberty given to teachers to give sectarian teaching, and to the increase of grants to denominational

schools. His hon. Friend the Member for Anglesea had presented a Petition from the powerful body of Welsh Calvinistic Methodists, representing, as the Preamble of the Petition stated, 240,000 persons, in which they declared themselves deeply dissatisfied with the Amendments of the Government. He had presented Petitions to the same effect from large associations of Independent and Baptist churches in North and South Wales. There had been two special Nonconformist Committees, representing various bodies of Dissenters, appointed to watch the progress of the measure—one in London, the other in Birmingham. The former passed resolutions declaring that the last Amendments of the Government did not make any concessions to the legitimate demands of Nonconformists; but, on the contrary, aggravated the exceptionable features of the Bill. The Birmingham Committee uttered their condemnation, if possible, in still more emphatic terms. He now came to the Dissenters of Leeds, and ventured to ask the special attention of his hon. Friend the Member for Leeds (Mr. Baines). The account he had before him stated that a meeting of the Protestant Nonconformists of Leeds and the district was held at the Philosophical Hall. There was a large attendance of the ministers and laity, and the mayor (Mr. W. G. Jay) occupied the chair. This meeting passed a resolution to the effect that it found the Amendments of the Government inadequate, and desired to express its conviction that the only thoroughly satisfactory solution of the religious difficulty would be found in the provision of religious instruction by voluntary effort only. He said, then, that this measure was being forced upon the country and through that House in the teeth of the declared wishes and earnest remonstrances of the entire Nonconformist Body of this country; that body, remember, forming one-half of the nation, and much more than one-half of the Liberal party. His right hon. Friend the Vice President of the Council was certainly, as he had threatened or promised, “cantering” over the education difficulty. But how was he doing it? Why, by mounting the good steed “Conservative,” and charging into the ranks of his friends and riding them down rough-shod. The right hon. Gentleman would, no doubt, carry the



Bill victoriously through Parliament, as a Government might carry any measure by using the votes of its adversaries to defeat the wishes of its friends; but he ventured to tell him, with all respect, that one or two more such victories would be most disastrous in their influence on the future fate of the Liberal party.

MR. COLLINS said, he had always thought that the liberty infringed upon in this measure was that of the managers of the schools, who were forbidden to teach creeds and catechisms, even though the parents of the children might all wish it. In that consisted the only intolerant part of the Bill, and it seemed strange to him that the advocates of local self-government, of liberty, and of tolerance, were the very persons who had forced themselves upon an unwilling Government, and had driven the Government to adopt the intolerant prohibition to which he referred. Those on that (the Opposition) side had been obliged to submit to the exclusion of catechisms from the schools, and now hon. Gentlemen opposite began to abuse them on that ground. He maintained that the people of England, as well as of Scotland and Ireland, preferred denominational education. The British and Foreign School Society was a Dissenting institution. For his own part, he believed the only schools that were thriving were not the schools of the secularists. As a member of the Church of England he did not hold that anything sectarian was taught at the National schools, for there the children were taught "the whole truth and nothing but the truth." Still he would say that the Government had acted fairly by all parties; but he should regard it as an act of tyranny if the Government not content with having forbidden the teaching of creeds and catechisms in the rate-aided schools, refused to give any grant to those schools which insisted upon teaching them.

MR. W. E. FORSTER said, he would not detain the Committee with many observations upon this point, because it must be conceded on all sides that this was merely a repetition of a previous discussion. He could not, however, allow the statement of the hon. Member for the Border Burghs (Mr. G. O. Trevelyan) to pass entirely without comment. In dealing with the speech of his hon. Friend he could not help expressing

his regret that he should have felt it to be his duty to take the course he had done, and his admiration at the conscientious manner in which he had discharged what he believed to be his duty, regardless of his own interests. There would be great cause for rejoicing were all disputes conducted in this conscientious manner. He must confess that he was not at all surprised that the hon. Member should have taken the course he had done, after the speech he had made that evening, because it was evident that he had attacked the question most conscientiously, but from a different point of view from that taken by him (Mr. W. E. Forster) and the majority of that House. It was evident that the hon. Member's desire was to bring not so much elementary education as unsectarian education within the reach of every child, whereas his own object was to secure elementary education to every child. The hon. Member for Merthyr Tydvil (Mr. Richard) found fault with the Government for taking this particular step, and he evidently regarded the Bill as being much worse for the change introduced into it. His best answer to the objection of the hon. Member would be to remind the Committee how it was that he had come to propose these words. The hon. Member for the Border Burghs had stated that the only reason the Government had for introducing them was to enable them to obtain the support of hon. Members sitting on the other side of the House. Now, he had no hesitation in saying that he was most thankful for the support he had so received, because he was anxious that the Bill should meet with the approval of the two great parties in that House. The Government had not made the change to carry out the views of one party more than of another, and the support of the House was given to the proposition by both sides of it; but he rather thought that the support he had received from the opposite side of the House had been much stronger before the change had been introduced into the Bill than after. The Government had introduced this change into the Bill in consequence of another change which they had made. The Government had thought it advisable to strike out from the Bill the principle of voluntary schools receiving aid out of the rates, and thereby to take from those schools that

*Mr. Richard*



possible and probable great assistance because hon. Members on their own side of the House objected to that principle. Having done that, and because they were anxious to bring education home to every child, the Government had felt it to be but just to give the voluntary schools some assistance in return for the very considerable change that had been introduced into the Bill; but he was quite sure that the Bill as it stood was not more advantageous to the voluntary system than it was when it was first introduced. He (Mr. W. E. Forster) thought the Bill in its present form would meet with the approval of the great body of the tax and ratepayers. He could only trust that the measure would, when it got into operation, be judged by its results, and he should not fear, even from the Nonconformist party, of which the hon. Member was so distinguished a member, any considerable amount of opposition when they found, as they would find, that it brought education within the reach of every child throughout the country. He believed that it was generally wished throughout the country that along with a secular education such religious education should be given as the parents desired; and with the full conviction that the opinion of the country was in favour of the Bill, he should appeal to the hon. Member not to press his opposition to the Amendment.

MR. WINTERBOTHAM said, he thought no good end could be answered by continuing the more general discussion. The protest that he should otherwise have felt it to be his duty to make upon this part of the Government proposal had been made in such many terms by the hon. Member for the Border Burghs (Mr. G. O. Trevelyan), and by the hon. Member for Merthyr Tydvil (Mr. Richard), that it would be unnecessary for him to repeat it. He objected to the course that the Government had pursued on the matter; but he hoped that the Committee would have the fairness to recognize that both himself and his hon. Friends had not endeavoured to hinder the progress of the measure, although having very strong opinions in reference to it they had felt bound to express them. He did not think the hon. Member for Merthyr Tydvil had spoken too harshly. He (Mr. Winterbotham) felt strongly that victories like these went far to shake the confidence

of the Liberal party. He did not wish to use harsh or extravagant language, because he did not think it likely that any absolute secession from the supporters of the Liberal Government was likely to result from the course taken by the Government upon this question; but he thought that that enthusiasm and utter abandonment of confidence which had maintained them in the proud position they had occupied since they first came into power were not likely to endure—not because the Government had differed in opinion from a large and influential section of their supporters, but because they had treated their objections with something approaching to contempt. Even the right hon. Gentleman the Vice President himself, whose temper had been so unexceptionable throughout these discussions, had said that this was not a difficulty which was felt in the country, but that it was created in Parliament. [Mr. W. E. FORSTER said he had not made use of that expression.] The language used by the right hon. Gentleman had been generally so understood. He was, however glad to hear that such was not his meaning. For himself, he regretted the change that had been made in the measure, because he felt that no more effectual challenge could have been offered to the country to continue the agitation, the prolongation of which he himself should deeply deplore. He thought that the Bill upon this point was unwise, and that it was unnecessarily in conflict with the opinions of a large and influential part of the country. However, the Bill being, as he supposed, shortly about to pass, he thought it their duty as good citizens, as good members of the Liberal party, and as Christian men, to try to falsify their own prophecies, and make the Bill work. That he hoped they would endeavour to do; but he also trusted that the right hon. Gentleman at the head of the Government would bear in mind what were the feelings of a very large section of his supporters throughout the country, many of whom were dissatisfied with the Bill. It was a fact that the party which was united at the commencement of the Session was not united at the present moment; and that, in place of perfect confidence and trust, feelings of distrust and apprehension had sprung up among them. He should say no more upon the

general question. With regard to the proposed Amendment, the first part he thought altogether unnecessary and worthless; and upon the second he had to remark that the managers of the schools would be enabled to maintain the schools as private without expending a single sixpence of their money in keeping them up. On the other hand, was Parliament not to be allowed at any time hereafter to raise any question on this subject? Were its hands to be tied; and was the Committee of Council to be forbidden to recognize any distinction between voluntary schools and other schools? Was it to be obliged to give to one set of schools whatever State aid was given to the other?

MR. W. E. FORSTER said, he was sure the Committee must be tired of hearing his voice. With regard to the first point to which reference had been made, the limitation was one which had been thought advisable in order to meet the views of those who agreed with his hon. and learned Friend (Mr. Winterbotham); but it did not follow that it would represent all the provisions in the Revised Code. When the Code came to be remodelled it would be necessary to consider carefully all the principles on which grants were made at present, and all that related to the proportion in which grants should be given to money raised by voluntary subscriptions and from other sources. Perhaps he might be allowed to say the Government looked forward to very considerable advantage in an educational point of view from the proposed increase of grants. He thought the country would have great reason to complain if the increase were not given in such a way as to greatly stimulate education. That stimulus ought to be more than proportionate to the increase in the grants. He had been asked why he had not accepted the proposition of his hon. Friend the Member for Oldham (Mr. Hibbert). The simple reason was this—they found that some of the best schools got on without voluntary subscriptions, because the parents were willing to pay larger fees. There was a Wesleyan school at the south side of London to which there were no voluntary subscriptions, but while the grant to that school was £205, the school-pence amounted to £372. He found that several of the British schools, some Roman Catholic

*Mr. Winterbotham*

schools, and some Church schools—but a larger number which were not either Church schools or Roman Catholic schools—were in that position. Were the Government to say that those schools were not to have any grant because the parents were prepared to pay more than parents usually did pay, and there were no voluntary subscriptions? The reason those schools were successful was that either the parents had a great deal to do with the management or they had great confidence in the managers. He did not suppose his hon. and learned Friend would be prepared to give a pledge that he would never seek to interfere with the system which this Bill would establish; and, of course, it would be always in the power of Parliament to re-open the question if it thought fit. He hoped they would not have the religious question raised again; but under all the circumstances the Government believed that their proposition was in accordance with what seemed to be the wish of the Committee.

MR. HIBBERT said, he thought the plan of his right hon. Friend (Mr. W. E. Forster) did not meet the case of the small schools in agricultural districts. He would suggest that with the view of meeting that case the grant should be in larger proportion for the first 100 or 120 children than for those above that number. The rate should be made 6s. instead of 4s. for the first 100 or 120, and then descend in proportion as the number exceeded that. He would also suggest the introduction of the words "voluntary contribution or from any" in that portion of his right hon. Friend's Amendment which referred to the funds in aid of which grants were to be made.

MR. W. E. FORSTER said, he had no objection to the introduction of the words just suggested by his hon. Friend; and his suggestion as to the mode of making grants in the case of small schools would be considered when the Revised Code was being remodelled.

*Words added.*

MR. G. O. TREVELYAN said, he thought that if the Amendment were put in portions a Division on the part of it that was objected to could be taken in a more satisfactory manner than if the Committee treated the Amendment as a whole.



MR. W. E. FORSTER said, that in order to enable the hon. Gentleman to take the sense of the Committee as he wished to do, it would be better that, instead of proposing the whole of his (Mr. W. E. Forster's) Amendment at once, he should propose, as an addition to the end of the clause, the first two lines of his Amendment—namely—

“And shall not give any preference or advantage to any school on the ground that it is or is not provided by a school Board.”

LORD AUGUSTUS HERVEY said, he had given Notice of an Amendment which would precede the Amendment of the right hon. Gentlemen—namely, in line 40, after “conditions shall,” to omit “not” and insert “neither forbid nor” before—

“Require that the school shall be in connection with a religious denomination, or that religious instruction shall be given in the school.”

If anything had been shown in the course of these debates and the discussions out-of-doors, it was that the great majority of the people of England were in favour of religious instruction forming part of the primary education of their children, and it followed from this that they would be doing grievous injustice to the taxpayers if they called upon them to pay for the maintenance of schools conducted in a manner which they believed to be most disadvantageous.

MR. W. E. FORSTER said, he agreed with the noble Lord in thinking that the general feeling of the taxpayers of this country was in favour of religious instruction; but was at the same time sure that their almost universal feeling was that it would not be just to deny any share of the taxation to those who preferred purely secular schools. He hoped that the noble Lord would not press his Amendment.

LORD AUGUSTUS HERVEY said, he would withdraw his Amendment, but would bring it up on the Report.

#### Amendment proposed,

At the end of the Clause, to add the words “and shall not give any preference or advantage to any school on the ground that it is or is not provided by a school Board.”—(Mr. William Edward Forster.)

Question put, “That those words be there added.”

The Committee divided:—Ayes 317; Noes 86: Majority 231.

#### Amendment made—

“Provided that where the school Board satisfy the Education Department that in any year ending the twenty-ninth of September the sum required for the purpose of the annual expenses of the school Board of any school district, and actually paid to the treasurer of such Board by the rating authority, amounted to a sum which would be raised by a rate of threepence in the pound on the rateable value of such district, and any such rate would have produced less than twenty pounds, or less than seven shillings and sixpence per child of the number of children in average attendance at the public elementary schools provided by such school Board, such school Board shall be entitled, in addition to the annual Parliamentary Grant in aid of the public elementary schools provided by them, to such further sum out of moneys provided by Parliament as, when added to the sum actually so paid by the rating authority, would, as the case may be, make up the sum of twenty pounds, or the sum of seven shillings and sixpence, for each such child, but no attendance shall be reckoned for the purpose of calculating such average attendance unless it is an attendance as defined in the said minutes.”

MR. GRAVES said, he would beg to move, to add the words—

“Such conditions may allow of an annual Parliamentary Grant being made to a school on board of a training ship, notwithstanding that the children are boarded and clothed in such ship.”

The boys educated on board those ships were generally taken from the streets; but those ships were not aided, although the reformatory training ships were assisted by Parliament. He thought grants should be given in both cases.

MR. W. E. FORSTER said, the question was an important one, and it should be carefully considered when the Revised Code was being altered, but he could not accept the Amendment, as the Bill contemplated only the case of day schools, and it was not desirable now to prejudge the question.

MR. NORWOOD said, he had an Amendment on the Paper to the same effect, but including ragged schools and orphan asylum schools within its provisions. After the statement of the right hon. Gentleman (Mr. W. E. Forster) he should, however, not press his Amendment.

MR. GRAVES said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

SIR MICHAEL HICKS-BEACH said, a great hardship was in many instances inflicted on the small rural parishes, owing to the circumstance that they did not receive a grant unless a certificated

[Committee—Clause 82.]



schoolmaster was employed in the schools. The condition was one which did not insure that which the Education Department required—that the education should be good—and he should like to see it done away with. He begged, with that object, to move the addition of the words—“or that the principal teacher of the school shall be duly certificated.” He knew his Amendment could not be accepted in its present form owing to the alterations which had been made in the clause, but he would bring it up again on the Report.

MR. W. E. FORSTER said, it was impossible to decide off-hand the difficult question raised by the Amendment. One of the most important points in dealing with the Revised Code would be to consider the conditions under which certificates should be granted.

MR. WALTER said, that when the Bill came into operation, the Education Department must do one of two things—either relax very considerably the present rule—and he thought this would be the right plan to adopt—or make it universally compulsory. The merits of the school should not be supposed to depend on the certificate of the schoolmaster, but on the results of examination. He could mention instances in which two schools in neighbouring parishes had been examined in the same week, one which had not a certificated master and in which the children passed a good examination, but which got no grant; the other where the examination was so bad that the certificated master was soon after dismissed, and which yet got a considerable grant. Under the present system many bad schools received State aid, but they would no longer receive it if this restriction were removed.

MR. KAY SHUTTLEWORTH said, he would suggest a middle course instead of the alternative presented by the hon. Member for Berkshire. It would be most unfortunate if guarantees were no longer taken by the State that teachers should be duly trained for their duties, and if they went back to the old plan of allowing any teachers whatever. Might not some part of the grant be given temporarily—say for two years—to schools where a certificated teacher was not employed, and the condition that the teacher should hold a certificate be then enforced? At the end of the two

years all that a teacher would have to do would be to pass an examination.

MR. A. F. EGERTON said, he doubted whether, owing to the large increase in the number required, it would be possible to provide a sufficient number of certificated teachers.

Amendment, by leave, *withdrawn*.

SIR STAFFORD NORTHCOTE said, he would propose to add at the end of the clause the following words:—

“Provided also, That if the total amount which any school Board is required to provide in any year for the purposes of this Act exceeds the amount which can be raised by a rate of three-pence in the pound of the rateable value of the district, one half of the excess shall be defrayed by the Education Department out of moneys provided by Parliament, and the other half only shall be provided by rate.

He proposed this addition because it seemed to be generally admitted that the mode in which rates were levied was not entirely satisfactory, that the incidence of the rate was not equal, and that in order to rectify to some extent this inequality, it was reasonable to devote State funds for the purpose of supplying the deficiency. Another reason for the Amendment was that this measure was not simply of a local, but of a national character, and was proposed for national objects. He did not intend so to relieve the ratepayers as to make it less their interest than it otherwise would be to manage the school economically and efficiently. Half the excess would still fall upon the ratepayers; but his Amendment would conduce to the more cheerful and ready acceptance of the measure in districts where school Boards would be established and schools provided out of the rates than the plan now proposed. In some agricultural districts the school rate would fall heavily upon the tenants of non-resident landlords, and he thought his proposal was a moderate one in the interest of the ratepayers.

MR. LIDDELL said, while approving this Amendment, he thought it would be impossible to agree to it, because they had already inserted words that no preference or advantage should be given to any school on the ground that it was or was not provided by a school Board, and it was quite clear that the Amendment would give an advantage to rate-supported schools as compared with voluntary schools.

*Sir Michael Hicks-Beach*

MR. W. E. FORSTER said, the Committee had already provided in a better way for the case of exceptionally poor parishes, and it was important to prevent managers losing sight of efficiency of teaching, the motive for which this Amendment would reduce by 50 per cent, while it would offer a temptation to parents not to pay fees.

SIR MASSEY LOPES said, he thought it important that the maximum of the education rate should be known, and that it should not fluctuate. The union of parishes which had been suggested would, he believed, prove impracticable.

MR. GLADSTONE said, the Amendment was not only different from, but absolutely a contradiction of what the Committee had already done; the two were quite irreconcilable.

MR. DIXON said, he was inclined to support the Amendment, and could not see the Prime Minister's difficulty.

SIR STAFFORD NORTHCOTE said, he admitted that the two propositions were different, but denied that they were contradictory. They provided for cases that were wholly distinct. He left the question in the hands of the Committee.

*Amendment negatived.*

MR. J. G. TALBOT proposed that at that hour (20 minutes past 1) they should not proceed further, and he moved that the Chairman report Progress.

MR. GLADSTONE said, that it had been understood that they should go on later that night than usual, and he hoped they would proceed until they arrived at some matter of complication and difficulty.

Motion, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

Clause 84 *struck out.*

Postponed Clause 22 (Managers may transfer school to school Board).

Amendment proposed in page 9, line 20, to leave out the words from the beginning of the Clause to "arrangement," in line 28, inclusive, in order to insert the words—

"The managers of any elementary school in the district of a school Board may, in manner provided by this Act, make an arrangement with the school Board for transferring their school to such school Board, and the school Board may assent to such arrangement."

"An arrangement under this section may be made by the managers by a resolution or other act as follows (that is to say):

"1. Where there is any instrument declaring the trusts of the school, and such instrument provides any manner in which, or any assent with which a resolution or act binding the managers is to be passed or done, then in accordance with the provisions of such instrument;

"2. Where there is no such instrument, or such instrument contains no such provisions, then in the manner and with the assent, if any, in and with which it may be shown to the Education Department to have been usual for a resolution or act binding such managers to be passed or done;

"3. If no manner or assent can be shown to have been usual, then by a resolution passed by a majority of those members of their body who are present at a meeting of the body summoned for the purpose, and with the assent of any other person whose assent under the circumstances appears to the Education Department to be requisite."

"And in every case such arrangement shall be made only—

"1. With the consent of the Education Department; and

"2. If there are annual subscribers to such school, with the consent of a majority of those of the annual subscribers who are present at a meeting duly summoned for the purpose."

"Provided, That where there is any instrument declaring the trusts of the school, and such instrument contains any provision for the alienation of the school by any persons or in any manner or subject to any consent, any arrangement under this section shall be made by the persons in the manner and with the consent so provided."

"Where it appears to the Education Department that there is any trustee of the school who is not a manager, they shall cause the managers to serve on such trustee, if his name and address are known, such notice as the Education Department think sufficient; and the Education Department shall consider and have due regard to any objections and representations he may make respecting the proposed transfer."

"The consent of the Education Department shall be conclusive evidence that the arrangement has been made in conformity with this section."—(Mr. W. E. Forster.)

—instead thereof.

*Amendment agreed to.*

Amendment proposed in page 10, line 2, after the word "Board," to insert the words—

"Any school Board may, with the consent of the Education Department, make an arrangement for transferring their schools, or any of them, to a body of managers, duly constituted and approved by the Education Department, and who may be able and willing to guarantee the maintenance of such school or schools for such time and under such conditions as the Education Department may determine."—(Mr. Birley.)

MR. W. E. FORSTER said, he did not think the proposed arrangement would work well, and therefore he could not accept the Amendment.

*Amendment negatived.*

Clause, as amended, *added to the Bill.*

[Committee—Clause 22.]

New Clause, to follow Clause 30 (Determination of disputes as to the election of school Boards), (*Mr. W. E. Forster*) agreed to.

New Clause, to follow Clause 32 (School Board in the metropolis), (*Mr. W. E. Forster*).

MR. W. E. FORSTER proposed, after Section 5, to add—

“In the City of London the members of the Board shall be elected by the Mayor, Aldermen, and Commonalty in Common Council assembled.”

MR. W. M. TORRENS said, he should object to the City of London being excepted from the electoral scheme, contrary to an understanding with hon. Members.

LORD JOHN MANNERS said, he must protest against the discussion of so important a matter at so late an hour (a quarter to 2 o'clock). What was the meaning of the word “metropolis?” Was it the metropolis of the Police Act, or of the Metropolitan Board Act, or the Coal and Wine Duty Act?

MR. W. E. FORSTER said, what was meant by the metropolis was the district of the Metropolitan Board of Works, under the Metropolis Management Act, 1855. The exception with regard to the City of London was introduced because it was thought the most convenient mode of election for the City, and would be found as good in practice as any other.

SIR CHARLES W. DILKE said, it was understood that the same kind of direct election should apply equally to all parts of the metropolis.

MR. J. G. TALBOT said, he thought that objection deserved attention, but doubted whether the question could be properly considered at that hour of the morning.

MR. W. H. SMITH said, he believed the understanding was, that there should be one uniform scheme, and he hoped that the clause would be allowed to stand without alteration.

MR. W. M. TORRENS said, he should raise the question on the Report being brought up.

Amendment, by leave, *withdrawn*.

Clause agreed to, and added to the Bill.

House resumed.

Committee report Progress; to sit again To-morrow at Two of the clock.

# PIER AND HARBOUR ORDERS CONFIRMATION

(NO. 3) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming a Provisional Order made by the Board of Trade under ‘The General Pier and Harbour Act, 1861,’ relating to Burntisland.

Resolution reported:—Bill ordered to be brought in by MR. SHAW LEFEVRE and MR. STANSFELD.

Bill presented, and read the first time. [Bill 210.]

## CENSUS BILL.

On Motion of Mr. Secretary BRUCE, Bill for taking the Census of England, ordered to be brought in by Mr. Secretary BRUCE and MR. KNATCHBULL-HUGESSEN.

Bill presented, and read the first time. [Bill 211.]

House adjourned at half after  
Two o'clock.

## HOUSE OF LORDS,

Tuesday, 12th July, 1870.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Consolidated Fund (£9,000,000)\*; Ecclesiastical Courts (26) postponed.

Committee—Prayer Book (Table of Lessons) (127-202).

Report—Dividends and Stock\* (200); Sligo and Cashel Disfranchisement\* (201).

Third Reading—Benefices Resignation (178); Sale of Poisons (Ireland)\* (149), and passed.

Withdrawn—Contagious Diseases Prevention (Metropolis) (151).

## CONTAGIOUS DISEASES PREVENTION (METROPOLIS) BILL—(No. 151.)

(The Marquess Townshend.)

SECOND READING. BILL WITHDRAWN.

Order of the Day for the Second Reading, read.

THE MARQUESS TOWNSHEND, in moving that the Bill be now read the second time, said, he regretted that a subject of such importance had not been taken up by the Government. If during the Plague of London certain districts had been placed under regulations in order to prevent the spread of the visitation, while in other districts no precautions were taken, it would have been thought very anomalous; yet this was



the course the Government were pursuing in applying preventive measures to certain garrison towns, while leaving the rest of the country uncared for. No reason could be given why the civil population should be excluded from the benefit of the Acts, nor why our soldiers and sailors should lose the protection which they enjoyed at certain garrison towns if they removed to other places. London was the very hotbed of the disease; and here, if anywhere, the provisions of the Acts were necessary.

*Moved*, "That the Bill be now read 2<sup>d</sup>."—(*The Marquess Townshend*.)

THE EARL OF MORLEY thought that, considering the delicate nature of the subject, he should be consulting their Lordships' wishes by confining his remarks within as small limits as possible, especially as a prolongation of the discussion could lead to no practical result, and was likely rather to injure than promote the cause of those who desired an extension of those Acts. His noble Friend proposed to extend the operation of the Contagious Diseases Acts from garrison towns to the metropolis, and ultimately to the whole country. The noble Marquess must excuse him if he declined to follow him through the arguments by which he endeavoured to support that proposal. A Commission had already been issued by the Government to inquire into the operation and effects of the law as it at present stood in relation to this subject. That Commission had been issued at the earnest request and desire of a large proportion of the Members of the House of Commons, and in consequence of a feeling which had been loudly expressed in many parts of the country adverse to the existence of those Acts. Considering that a Commission was sitting upon the subject, it was in his opinion premature now to bring the matter forward. He hoped, therefore, that the Bill would be withdrawn.

THE MARQUESS TOWNSHEND thought that the appointment of the Commission had the effect of delaying legislation upon the subject.

Motion and Bill (by Leave of the House) *withdrawn*.

# ECCLESIASTICAL COURTS BILL—(No. 26.) (*The Earl of Shaftesbury*.)

SECOND READING POSTPONED.

Order of the Day for the Second Reading, read.

THE EARL OF SHAFTESBURY said, that on previous occasions he had been compelled to postpone the second reading of this Bill, and was again forced to do so, for reasons which he hoped their Lordships would allow him briefly to state. In March last he moved for some Returns on finance and business from the diocesan Courts; but up to the present time, out of 27 dioceses, seven had failed to recognize the authority of their Lordships' House, having made no Return whatever. These seven defaulting dioceses were St. Davids, Chichester, Manchester, Bangor, Worcester, Hereford, and Salisbury. Twenty dioceses had made Returns, but had made them so late that it was quite impossible to have had them printed in time for discussion this evening. With reference to the Returns relating to the registries of the various dioceses, which had long been in a most disgraceful condition, and which were moved for by the noble and learned Lord the Master of the Rolls, Returns had been received from 10 dioceses. His object in moving for Returns of the moneys received by the diocesan Courts was to satisfy the noble and learned Lord on the Woolsack, and several right rev. Prelates, who doubted whether the receipts were as large as he had estimated them. As far as he had been able to read them, he could not say that the Returns were very accurate. He had, however, applied to another source for information—namely, to the Registrar General's Office, in order that he might procure a Return of the number of marriages celebrated yearly by licence and by special licence. He had accordingly obtained a Return of the yearly average number of these marriages for the 10 years 1859 to 1868, inclusive. That average number was 19,861, and the fees paid to the registrars for these licences was £40,226 per annum. This sum by no means represented the whole sum paid to the registrars, for he had shown that the fees levied on the parochial clergy, no Return of which had yet been made, amounted to £20,000 a year—and, indeed, he be-

lieved to as much as £30,000. In that case £70,000 a year was raised from the public and paid into the hands of the registrars, while no account whatever had been given of the way in which the money was expended. The Bill having been a considerable time before their Lordships, he thought he was justified in asking them to say Aye or No to its principle; he should, therefore, whether the Returns were ready or not, propose the second reading on Tuesday next, and, if necessary, take the sense of the House upon it.

THE BISHOP OF MANCHESTER, as the representative of one of the dioceses described as delinquents, wished to state that, before leaving Manchester last week, he inquired whether the Returns had been sent in or not—he had made previous inquiries and had endeavoured to expedite the matter—and he was informed by the deputy registrar that the Returns were sent in on Thursday last.

Second Reading *put off to Tuesday next.*

PRAYER BOOK (LECTIONARY) BILL,

*Now*

PRAYER BOOK (TABLE OF LESSONS)

BILL—(No. 127.)

(The Lord Chancellor.)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Short title).

THE EARL OF SHAFTESBURY moved to omit the word ("Lectionary") and insert ("Table of Lessons").

Amendment *agreed to.*

Clause *agreed to.*

Clause 2 (Substitution of Table of Lesson in Schedule for old Tables) *agreed to.*

THE LORD CHANCELLOR moved an additional clause, suggested by the most rev. Prelate (the Archbishop of York), providing that—

"No suit shall be instituted against any clerk for any offence against this Act in following the Table of Lessons hitherto in legal use, alleged to be committed prior to the 1st of January, 1872."

The Act would come into operation on the 1st of January next; but, as in rural districts the Prayer Books might not be altered by that date, it was thought reasonable that no prosecution should be

instituted for non-compliance with it during the ensuing year.

Clause *agreed to.*

Schedule, Part II.,

EARL BEAUCHAMP moved to omit from the Schedule the paragraph setting forth the "Order how the rest of Holy Scripture is appointed to be read;" to omit the paragraph relating to alternative Lessons at Evening Service, on the ground that this service was sufficiently explained without it, and that it might, by its ambiguity, lead to the inconvenient practice of reading a later chapter of a particular Book before an earlier one.

Amendment *agreed to*; Paragraph *struck out.*

THE ARCHBISHOP OF YORK moved to insert in the paragraph permitting "other Lessons" with the consent of the Ordinary to be substituted for those appointed in the Table, the word "special," with a view to limit the permission by the Ordinary of a deviation from the Table of Lessons to special services, as harvest thanksgivings for instance. It was not desirable to make the choice of lessons entirely an open question between the Ordinary and the clergyman.

Amendment *agreed to.*

THE BISHOP OF LINCOLN said, that according to the Schedule as it stood at present a clergyman who held three services in his church would be obliged to repeat in the evening the same set of Psalms which had been read in the afternoon. This would become a merely mechanical operation with some clergymen, and, moreover, it might happen that mournful Psalms would have to be read on joyful occasions, and *vice versa*. He therefore moved the insertion of words to remedy this inconvenience.

EARL BEAUCHAMP remarked that the Psalms did not form part of the Lessons, and, consequently, it would be necessary to alter the Preamble of the Bill if the right rev. Prelate's proposal were carried. This might open the door to other alterations, and he therefore trusted their Lordships would not accept the Amendment.

THE ARCHBISHOP OF YORK agreed in the reason of the noble Earl. They were carrying out only a part of the recommendations of the Ritual Commissioners, and were strictly limited to the Table of Lessons.

*The Earl of Shaftesbury*



THE LORD CHANCELLOR appealed to his right rev. Friend to withdraw the Amendment.

THE BISHOP OF LINCOLN said, he would accede to what appeared to be the general opinion of the House. He might, however, bring the subject forward on some future occasion.

*Amendment withdrawn.*

*Schedule agreed to.*

On Question? That the Preamble be agreed to,

THE EARL OF SHAFTESBURY moved to omit, lines 18, 19, and 20, the words—

“And such revised Table of Lessons have been considered and approved of by the Convocation of the Province of Canterbury and by a Committee of the Convocation of York.”

He objected to anything that might seem to imply that the consent of Convocation was a necessary basis of legislation. If the words were intended to be a mere recital of a fact, he denied that the alleged act of Convocation was in any sense a legal act; and if they were intended as the recital of a fact of no importance whatever they were simply surplusage, and surplusage was very injurious in any Act of Parliament. Any Act of Convocation derived its authority from the subject-matter having been submitted to its consideration by the Queen, and from Her Majesty having subsequently approved the decision arrived at. But this question of the Table of Lessons had not been submitted by the Queen to Convocation, nor had Her Majesty in Council given her assent to the decision which was come to. Again, it was a very curious thing to state in an Act of Parliament that the whole of the Southern Province of Convocation, and only a Committee of the Northern Province had signified their approval. Besides, this was contrary to precedent. The Calendar and the Table of Lessons rested on the Act of 24 Geo. II.; but in the Preamble to that statute there was no reference whatever to Convocation. It might, perhaps, be urged that Convocation was not sitting in the year 1751, when that Act was passed; but surely that circumstance only afforded an additional proof that the approval of Convocation was not deemed necessary. He confessed his estimate of the two Houses of Convocation had not been raised by what had lately occurred. The debates on the sub-

ject of the Œcumenical Council seemed to imply a complaint that His Holiness had not invited the representatives of the Church of England to sit at Rome with the other Bishops of the East and West. This was a sign of a spirit totally unsuited to a deliberative and independent body, which was, or ought to be, under no other than the control of the Crown and of Parliament. These, even apart from all other causes, gave him so much distrust of Convocation, that he trusted their Lordships would see the necessity of excluding from the Preamble the words of which he moved the omission.

THE ARCHBISHOP OF YORK said, he was not affected by the severe remarks of the noble Earl, inasmuch as he presided over the Northern Province of Convocation. It was, however, a strange argument to say that because a deliberative assembly had erred on one subject its opinion was worthless in regard to another. He admitted there was no reference to Convocation in the Act of 1751, but for that there was this good reason—that there was nothing on that occasion to take the opinion of Convocation upon, the object of that Act being merely to substitute the New Style for the Old, and on a question of astronomy Convocation had no peculiar claim to be heard. For his own part he did not take a very overweening view of the claims of Convocation; but still he thanked the noble and learned Lord on the Woolsack for stating in the Preamble to the Bill that Convocation had approved the new Lectionary. There must be many Members of that House who had not paid very great attention to the details of this difficult and elaborate Table, and who would consequently be glad to know that it had received the sanction and approval of the only assembly which represented the Church of England. He agreed that Convocation had no right to alter a canon or the like without a licence from the Crown; but it by no means followed that, as a deliberative assembly, Convocation was not entitled to express its opinion on important subjects. He trusted he should never again hear such an argument advanced in that House. The Convocation of the Northern Province had fully pronounced its opinion on this subject. Several years ago it passed a resolution to the effect that the Lectionary



required alteration, and that resolution was sent to the Ritual Commissioners, and formed part of the materials they had to deal with. Whatever titles the Convocations might have to confidence, they were, at all events, the only legal assemblies of the Church in this country, and this was a question which touched every clergyman and layman in the Church, and therefore Convocation had not seen good to be silent. If the Convocations had incurred legal penalties for expressing their opinion on a question which affected every clergyman and layman, those penalties could, of course, be enforced; but he trusted the noble and learned Lord would retain in the Preamble the statement of a fact which in the minds of many persons would carry considerable weight, and which could be offensive to none.

EARL NELSON, as a layman, concurred in the remarks of the most rev. Prelate, and hoped the noble and learned Lord would retain the words in the Preamble. It was a subject for congratulation with him that what was proposed to be done had been carefully considered by a Royal Commission and approved by Convocation. The insertion of these words in the recital of the Act would be strictly in accordance with precedent. All the great statutes giving the force of law to the Reformation were founded upon resolutions agreed to in Convocation, and the sanction of Convocation was quoted in those Acts. The Act renouncing the supremacy of the Pope and asserting the Queen's supremacy, the Act for giving the cup to the laity, and the Act for allowing the marriage of the clergy were all first agreed to in Convocation; and the preface to the Prayer Book distinctly stated that in the first place a Commission was appointed to compile such a book, and that their report having been considered and endorsed by Convocation, the Sovereign asked both Houses of Parliament to give to that Report the force of law. He could not understand why so much jealousy of Convocation should be felt. It did not pretend to make laws, but only to express the views of the clergy. He hoped his noble and learned Friend on the Woolsack would keep the words under discussion in the Bill, for the satisfaction of those who could not accept the new Table until Convocation had approved it.

*The Archbishop of York*

LORD CAIRNS said, he could not agree with the noble Earl (Earl Nelson) that the insertion of these words in the recital would be in accordance with precedent. On the contrary, he believed that no instance could be found of the recital of an Act of Parliament mentioning the approval of Convocation, unless it also mentioned the fact that the opinion of Convocation had first of all been asked by the Sovereign. It was natural, proper, and desirable that the voice of Convocation should be heard on these subjects; but the constitutional method of ascertaining that opinion was by the Crown communicating to it a desire that it should express its views. He thought, therefore, that there were grave objections to the insertion of these words in the recital. That, he contended, was a constitutional principle which should not be departed from. The Act of Uniformity recited—

"And afterwards the Convocations of both the Provinces of Canterbury and York, being by His Majesty called and assembled and now sitting, His Majesty hath been pleased to authorize and require the Presidents of the said Convocations, and other the Bishops and clergy of the same, to review the said Book of Common Prayer, &c. . .

Since which time, upon full and mature deliberation, the said Presidents, Bishops, and clergy of both Provinces have accordingly reviewed the said Book, and have made some alterations they think proper to be inserted therein, and have presented and exhibited the same unto His Majesty in writing in one Book, the Book of Common Prayer, &c., and His Majesty having duly considered, hath fully approved and allowed the same, and hath recommended to this present Parliament,"

and so on. He would be sorry to legislate on questions of this kind without having the opinion of Convocation expressed upon them; but the proper and constitutional method of obtaining that opinion was by the Crown communicating to it a desire that it should express its views upon a subject stated, and then the fact that the Act was in accordance with the opinion of Convocation might with propriety be stated in the Preamble.

THE LORD CHANCELLOR stated that the approval of Convocation was cited in the Preamble merely for the sake of peace, and to prevent uneasiness and sensitiveness in the consciences of many. The Bill was founded on the general desire for some changes in the services; and when a body of 20,000 clergymen were required by Parliament to change forms in their services to which they had be-

come accustomed, it was not unreasonable that they should be fortified in their disposition to cheerful obedience by the knowledge that the change enacted had been agreed on by a Royal Commission and approved by Convocation. The time when the Church was supposed to consist of the clergy alone had long passed; but, on the other hand, the clergy, unlike the Nonconformist ministers, were debarred from sitting in the other House of Parliament, and therefore had no voice in either House—because it could scarcely be assumed that the right rev. Prelates in their Lordships' House represented on all occasions the opinions of the entire body of the clergy. Under these circumstances it was fortunate that, to a certain extent, they could make their opinions heard through the Houses of Convocation, which was in a great degree their representative chamber, and it was therefore natural that they should regard with satisfaction the recognition by Parliament of the opinions of that body. The change which it was now proposed to make in the Lectionary had fortunately received the sanction of one House of Convocation and of the Committee of the other. The words had been introduced into the Preamble for the sake of peace, and he hoped that the measure would be received generally with satisfaction.

EARL GREY, while agreeing that this was a matter which ought to be settled in a manner satisfactory to the Church, was not prepared for the retention of the words proposed to be left out. He gladly recognized the right and importance of Convocation expressing its opinion on these subjects, but not that Parliament should be hampered and restricted in its action by words in the recital such as those now proposed. What would be the consequences of the precedent now proposed to be set? On some future and not distant occasion a reform in the Church might be proposed by Parliament to which Convocation objected, and the Legislature would then find itself arrested in its design and limited in its powers of dealing with the national Church by reason of Convocation, which, after all, was not the representative of the whole Church, or even of the whole clerical element of the Church. It was absolutely necessary for the safety of the Church that Parliament should have full power to deal with

Church matters as they thought right. Men must, indeed, be blind to the signs of the times who did not perceive that great reforms in the Church were necessary, and that if these reforms were not adopted by the Church from time to time, in order to keep herself in harmony with the wishes of the great bulk of the people, so as to retain their affection and confidence, the national Church could not be preserved. Let Convocation by all means make her voice heard on questions affecting the Church, and let all due regard be paid to that opinion; but he could not consent that she should have the right that would seem to be conferred upon her by the retention of these words in the recital of the Act. For these reasons, though far from regretting that Convocation had expressed an opinion, he felt bound to vote for the Amendment of the noble Earl to omit the reference to Convocation from the Preamble.

THE MARQUESS OF SALISBURY said, he could not help feeling that the consequences predicted by the noble Earl (Earl Grey), as about to follow from the retention of these words, came within the category of what Sydney Smith termed "hobgoblin arguments." The noble Earl had talked about Parliament giving up its legislative freedom. The danger of such an abnegation might, indeed, be serious; but, surely, the power of exaggeration could hardly be carried farther than when such results were gravely anticipated from the insertion of these few words in the Preamble of this Bill; if so, it might be possible to go further, and say that because it was recited in the Preamble that "the Commissioners" had recommended the revised Table of Lessons, in the same manner as Convocation was recited to have approved of it, Parliament had resigned its future power of dealing with questions of this description, except on the recommendation of Commissioners. Such a line of argument could only spring from the undue importance attached to these words, which really were very harmless, though he regretted that the words of the Act of Uniformity had not been more exactly followed. The object of the Government was to effect the great change proposed by the Bill as quietly as possible. They did not want to drag their coats before such of the clergy as might be inclined to pick a



quarrel with Parliament over the Lectinary. The noble and learned Lord having stated that the insertion of these words would secure the peaceful acceptance of the measure by the great body of the clergy, he should vote for their retention.

On Question, Whether the words proposed to be left out stand part of the Preamble? Their Lordships *divided*:—Contents 60; Not-Contents 24: Majority 36.

*Resolved in the Affirmative.*

Preamble *agreed to*.

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 202.)

#### BENEFICES RESIGNATION BILL.

(*The Lord Bishop of Winchester.*)

(NO. 178.) THIRD READING.

Order of the Day for resuming the Adjourned Debate on the Motion for the Third Reading, read; Debate resumed accordingly.

THE DUKE OF RICHMOND said, he desired to say one or two words on the subject of this Bill. Though he was not prepared to say it might not be advisable to provide means by which disabled clergymen might, in certain cases, resign their benefices, he must express his opinion that some of the provisions of this Bill would materially interfere with the rights of patrons of benefices, and, through them, with the interests of the Church. The Bill provided that if a clergyman, incapacitated by age or infirmity, resigned his benefice, the Commissioners were to name the allowance to be assigned to the incumbent so resigning, which was in no case to exceed the amount of one-third of the income. Now, in the case of a living of, say, £150, if a reduction to the amount of one-third were made, the income of the benefice would be reduced to £100 a year. Now, though the patron might have been able to secure for the living a clergyman in whom he would have confidence if the stipend had remained at £150 a year, he would probably be estopped from getting as good a man for £100 a year. Clause 5, which provided for cases in which the clergyman holding a benefice became permanently disabled from men-

tal incapacity, appeared to him to be very imperfect. The Bishop was to move the archdeacon, and the archdeacon was to move the Lord Chancellor; but there was no statement in the clause as to who was to move the Bishop. Again, if the incumbent afflicted with lunacy should recover, the disposition made of his benefice during his illness would be illegal. There was no minimum of age stated, nor was there any definite limitation as to the amount of pension, so that a lunatic clergyman might carry off the whole income of the living. By the 15th clause an incumbent might undertake clerical duties elsewhere than in the benefice from which he retired, and if he did so, then his pension was to be diminished in a certain proportion. What would become of the part of the income so diminished? It must go somewhere. Was it to go to the living from which it was taken when the incumbent retired? If so, the new incumbent of the living from which the former incumbent was pensioned would never know what his income would be, because if the former incumbent gave up the clerical duties he had undertaken elsewhere, he would revert to his full original pension. Moreover, there was nothing in the Bill to prevent a clergyman from receiving a pension on retirement from a living, and afterwards obtaining a foreign chaplaincy, and receiving the emoluments of that office in addition to his undiminished pension. Again, in addition to the pension to be taken out of the stipend of the new incumbent, one-half of the expenses of the inquiry whether the retiring incumbent should be pensioned or not, was to be made a charge on the living. In conclusion, believing the Bill to be exceedingly badly drawn, he must ask their Lordships not to read it the third time.

THE ARCHBISHOP OF YORK said, he did not apprehend that any of the details so ably criticized by the noble Duke were such that they might not have been amended, if necessary, in Committee, had proper attention been bestowed on the measure at that stage. Setting aside for the moment the interest of the patron, let him recall to their Lordships' recollection what the Bill was intended to do. There were many clergymen so broken down by age or protracted labour that they were no longer able to minister in the congregation;

*The Marquess of Salisbury*



and it was for their benefit, and for that of the parishes where they were placed, that this Bill had been introduced. He thought that a most important object; the Bill dealt with a matter of the utmost importance, both as regarded the interests of the parishioners and the interests of the Church. The cases in which the measure would be applied without the common consent of all the parties concerned were extremely few and rare. If, however, it had been necessary further to guard the rights of the patron than was done in the Bill, it was desirable that some suggestion with that object should have been made in Committee. With regard to clergymen afflicted with mental incapacity, when first introduced the Bill was defective; but a clause dealing with that point had been brought up by the noble and learned Lord on the Woolsack—who would be allowed by the noble Duke to be a high legal authority—which he thought would work beneficially. There were cases of permanent mental incapacity, and cases where a cure of the malady might be hoped for; and the Lord Chancellor would be made the judge of the cases where the incapacity was permanent. There were instances in his own diocese of mental incapacity, in which all parties wished for the retirement of the clergymen, even without a pension, and yet in the present state of the law the thing was impossible. It was really not the patron they had to deal with so much as the parishioners—the people who had to go on year after year under a clergyman who himself knew, as the whole parish knew, that he was no longer fit to discharge the duties attached to his position; and it was to be hoped that their Lordships would not rashly reject a measure adapted to remedy that state of things.

LORD CAIRNS cheerfully admitted that this Bill had been introduced from the best possible motives, to effect what was thought to be a desirable object, and that, at first sight, it looked an extremely plausible measure. There, however, all that he could say in favour of the Bill ended; and he would endeavour to show that there were grave doubts not whether the details of the Bill should be altered, but as to the propriety of their Lordships passing it at all. It had been assumed that there was an analogy between the present Bill and the Bill to

which their Lordships assented last year, dealing with Bishops who were anxious to retire from their sees; but there was no real analogy between them. In the case of a Bishop who was incapacitated from transacting the proper business of his diocese, things practically came to a dead-lock, and they had to choose between leaving the diocese without the proper care and attention of a Bishop at all, and authorizing him to retire on certain arrangements being made. On the other hand, when an incumbent was superannuated, from ill-health or infirmity, he had a remedy which the Bishop had not, for he could employ additional curates under his own superintendence, who could relieve him to any extent of his duty, and he would still remain the head of the parish. But, according to this Bill, there were no reasons assigned or grounds on which an incumbent might apply for his resignation. If any clergyman applied for a commission, a commission might be issued, and he would then state the reasons why he was desirous of resigning, which might be that he was too old or too young; or that he was ill or expected to be ill; or that he was unpopular in the parish, or that the parishioners were unpopular with him—or any other reason that he might allege. If the Bill passed, he believed it would be acted upon in a great number of cases: and would their Lordships sanction a measure which would have the effect in the course of a year or two of carrying off from many of the parishes of England one-third of the emoluments provided for the spiritual necessities of the parishioners—one-third of the fund which—as they were reminded when the Sequestration of Benefices Bill was before them—was the fund intended to be expended in relieving the spiritual wants of the parish? Was it desirable in the interests of the parishes themselves, that so large a sum should be carried off from the benefice? Supposing one of their Lordships to have the advowson of a living of £1,200 a year. The incumbent might be old and infirm, and the patron might already have selected an active and able clergyman whom he meant to present to the living as soon as it became vacant. But the present incumbent suddenly resigned under this Bill, carrying off one-third of the income, which would thus drop from £1,200 to £800. The clergyman who

might have been willing to take the living at £1,200 a year was unwilling or could not afford to take the responsibilities at £800 a year. The other £400 a year might make all the difference to him. The patron, therefore, could not get the best man, and was obliged to appoint a man at £800 a year, whose services might not be so profitable to the parish as those of the other might be; and thus they saddled the parish with an inferior man for the rest of his life, because they would not wait for a vacancy likely, perhaps, to occur before long from a natural cause. First, they did a wrong to the patron, and then to the parish whose interests they desired to serve. Then, under this Bill, nothing would be easier than for a clergyman who preferred to live abroad, or in a more agreeable climate, to carry off one-third of the emoluments, and superadd to them the emoluments of an English chaplaincy at a foreign station.

THE ARCHBISHOP OF YORK said, there was a provision that if the incumbent took other duties, his pension would cease; or would be diminished by the amount of his emoluments.

LORD CAIRNS said, that as he read the Bill, it meant that in the event of the clergyman undertaking clerical duties elsewhere, his pension was to diminish in such proportion and for such period as the Bishop of the diocese to which he formerly belonged, and the Bishop into whose diocese he went might determine. But did that apply to the case of a foreign chaplaincy. He thought not. Then there was another extremely serious matter. Had the right rev. Prelates who had introduced this Bill considered what effect it would have on the law of assignments? If this Bill became law, they would not only require a measure dealing with the next presentations, but a much stronger measure dealing with advowsons. He could not conceive anything more likely to provoke danger to the best interests of the Church than the transactions which would spring up in advowsons and next presentations the moment they passed this Bill. He took the same objection to the Next Presentations Bill as to this. The error in both cases, was that the Bills went to make the livings void, instead of providing a remedy to meet the evil which might have arisen. Let the Bishop be enabled, if the holder of the benefice

did not exercise all the power which he ought to possess, to require that provision should be made out of the income of the living for the proper performance of the duties of the parish, and that would be sufficient to meet the difficulty. But let them not make the living void, because, if they did, they would bring about a multitude of resignations and produce a state of scandal in the Church which could not be too much deplored. At this late period of the Session, it was not possible to proceed further with a measure so defective in many of its provisions; and the same objections applied to another measure of a similar description which was now before their Lordships. He thought the better course would be to defer the consideration of the whole question, the importance of which he fully admitted, to another Session.

THE BISHOP OF GLOUCESTER AND BRISTOL said, that notwithstanding the ingenious and extremely plausible arguments of the noble and learned Lord (Lord Cairns), he believed that the Bill would provide a remedy for a very great evil which now existed in the Church. The noble and learned Lord had stated that there was no analogy between the Bill passed last Session with respect to the retirement of the Bishops and the measure before their Lordships. According to the noble and learned Lord, the Bishop could not supply his own place in case of infirmity as the incumbent could, because the latter had only to employ curates. But where was the money to come from? And which was the best position for a parish—to be ministered over by a man who had no connection with it, or, when the incumbent retired, by a well-chosen, healthy, and active man who had taken his place? It was just as bad for a parish, *quâd* a parish, to be left to the superintendence of a weak incumbent as for a diocese to be left without the superintendence of a Bishop. It had been said very ingenuously that an incumbent would only have to fill up the schedule and say that he was not very well; or, perhaps, would not be very well tomorrow, and he would be allowed to resign. But what would the Commissioners be doing all that time? The Commissioners, at all events, would be honourable men, and might be supposed to have some interest in the parish. One



of them would be the rural dean or archdeacon, the incumbent would nominate another, and the Bishop another; and was it to be supposed that the Bishop would appoint a person that would be likely to allow any such abuse as had been suggested? Then objection had been taken to the words "a magistrate for the district." He submitted that these words meant a magistrate for the district in which the benefice was situated. Was not the Bishop to be supposed to take some interest in the parish—and if the incumbent should put forth some false reason for resigning, was the Bishop likely to be so much among the stars as not to be able to come down and test the matter? If the Commission were to be appointed in the manner provided by the Bill, he ventured to think that at least five-sixths of the objections urged on the other side would disappear. The noble Duke (the Duke of Richmond) took a living at £150 a year, and said if they deducted £50 from this small income it would be almost impossible to fill the place; but if they could get a really good man for £150, he did not know that it would make so much difference to take away £50. Any person who had experience in filling up these small benefices must be aware that it was just as difficult to find a good man for an income of £150 as of £100. But the noble and learned Lord (Lord Cairns) took a very different case—namely, a living of £1,200 a year, and, deducting £400, said—"You can get only an inferior man for £800." But he (the Bishop of Gloucester) would be happy to undertake to supply any number of really good, first-class men for livings of £800 a year. He was sorry to say the clerical profession, like other professions, was crowded, and a living of £800 a year was considered a very good prize. It had been said that English parishes might, under this Bill, be made to supply foreign chaplaincies; but there was a restraining power, and he thought their Lordships might fairly leave the matter to be adjusted between the Bishop of London and the Bishops of the other dioceses, as all of them would be concerned in preventing any parish from suffering wrong. Believing that the measure was fraught with great good to the Church at large, he confidently recommended it to their Lordships' favourable consideration.

THE EARL OF CARNARVON said, that at this time of the Session it was extremely difficult to attend to all the business that came before their Lordships; but when attention was called to this measure, which affected the working of a large number of parishes, it was obvious that there were in it such defects as should prevent its being sent down in its present shape to the other House. After the arguments that had been advanced, he could not conscientiously vote for the Bill passing this stage in its present condition. He suggested that the Bill should be referred to a Select Committee.

LORD DYNEVOR said, that although he was very much interested in the success of this measure, he could not but see that it contained many defects, and thought it would not be satisfactory to the House of Commons. He therefore hoped their Lordships would refer the Bill to a Select Committee.

THE BISHOP OF WINCHESTER said, he could not acquiesce in the suggestion of his noble Friend, because he entirely denied that there was in the Bill such a crowd of defects as had been suggested. The first defect that had been pointed out was that the 5th clause—that relating to lunatic clergymen—bore no mark of a legal mind, and one noble Lord had suggested that it was prepared by the clergy in Convocation, who were not lawyers. The clause, however, was one which the clergy had never seen before the Bill was printed; it was drawn by the noble and learned Lord on the Woolsack, and corrected by one of the most eminent members of the legal profession in the other House. He admitted, however, that the clause needed an alteration, which could be effected by inserting, with respect to the stipend, the simple words "not exceeding one-third of the value of the benefice," and if the Bill were read a third time he should propose such an Amendment before the Bill was passed. The use of the word "district" was an error, and could be amended by substituting the phrase "petty sessional division." He thought any difficulty which might arise in respect to a foreign chaplaincy would be obviated by giving jurisdiction in the matter either to the Bishop of London or the Bishop in whose diocese the living in question was situated. The real objection to the Bill was rather that



his noble Friend (the Duke of Richmond) thought that the rights of patrons were not sufficiently regarded; but nothing injurious to those rights had been shown in the course of the debate. He did not believe that there was in the Bill anything which would injure such rights; but that, on the contrary, patrons would gain more than any other persons, because, instead of having a living occupied for many years by an utterly unfit man, a patron would be able to secure his patronage, and to present a man of strong health and fully capable of fulfilling the duties of his living. Believing that all the errors which had been pointed out might be very easily amended, he asked their Lordships to give a third reading to the Bill.

On Question, That the Bill be now read 3<sup>a</sup>?—Their Lordships *divided*:—Contents 29: Not-Contents 18: Majority 11.

Bill read 3<sup>a</sup> accordingly.

THE LORD CHANCELLOR said, that it would be necessary to introduce several verbal Amendments in the Bill, and one clause had been inserted in the wrong place, although it had no inherent defect.

THE DUKE OF RICHMOND said, he was now confirmed in his belief that the Bill was not the production of a legal mind. He thought the Amendments ought to be printed, in order that it might be seen how far they would affect the Bill. He had no wish to impede its progress; but he understood the right rev. Prelate intended to amend almost all the clauses.

THE EARL OF CARNARVON wished to know what was the opinion of the Government on the subject.

THE BISHOP OF WINCHESTER pointed out that the printing of the Amendments would delay the passage of the Bill.

EARL GRANVILLE said, the points appeared to him to be minor ones.

After a few words from Lord CHURSTON, Amendments made.

Bill *passed*, and sent to the Commons.

House adjourned at a quarter past Eight o'clock, to Thursday next, half past Ten o'clock.

*The Bishop of Winchester*

## HOUSE OF COMMONS,

*Tuesday, 12th July, 1870.*

MINUTES.]—New WRIT ISSUED—For Brecknock, *v.* Lord Hyde, now Earl of Clarendon.  
PUBLIC BILLS — Ordered — *First Reading* — National Debt\* [213]; Forgery\* [214]; Statute Law Revision\* [215].  
*Select Committee* — Factories and Workshops\* [150], *nominated*.  
*Report of Select Committee*—Pilots [No. 349.]  
*Committee* — Party Processions (Ireland) [26], *put off*; Suburban Commons\* [41], *deferred*.  
*Committee*—Report—Absconding Debtors\* [172].  
*Report*—Local Government Supplemental (No. 2)\* [171-212].  
*Third Reading*—Extradition\* [138]; Telegraph Acts Extension\* [196]; New Zealand (Guarantee of Loan)\* [190]; Paupers Conveyance (Expenses)\* [193]; Sugar Duties (Isle of Man)\* [203]; Clerical Disabilities\* [49], and *passed*.

The House met at Two of the clock.

NAVY—SIR THOMAS SYMONDS.

QUESTION.

Mr. CORRY said, he wished to ask the Secretary to the Admiralty, Whether Sir Thomas Symonds was invited to resign the command of the Channel Squadron in the midst of trials of great importance, and when only one-half of the period during which such commands are usually held had expired, in exchange for a Vice Admiral's Good Service Pension which he had earned by long and distinguished service, and by his position at the head of qualified candidates on the Vice Admirals' List; whether Sir Thomas Symonds expressed to the First Lord of the Admiralty his earnest desire to be permitted to retain his command, the Good Service Pension, which he had accepted, remaining in abeyance until its termination, in conformity with the provisions of the 6th and 7th Clauses, under the head of Pensions, in the Order in Council of February 22nd, 1870; whether Sir Thomas Symonds was specially commended by the First Lord of the Admiralty for the good he had done, and was doing, to the Squadron, and received a Board Letter of thanks for his able and zealous service, and the state of the discipline of the Squadron; and, whether, although he was ordered to haul down his flag on the plea of his appointment to a Good Service Pension, the command of the Channel Squadron was almost immediately afterwards offered to another

Vice Admiral (by whom it was declined), to whom the Good Service Pension had been given on the same day as that on which it had been conferred on Sir Thomas Symonds?

MR. BAXTER: Sir, I think the House will agree with me that the Questions put by the right hon. Gentleman are of a most unusual nature; and, coming from one who has been himself First Lord of the Admiralty, rather surprising. There is no duty performed by the First Lord of the Admiralty more delicate and responsible than that which relates to commands and good service pensions; and, if, without any imputation of malfeasance or corruption, the House of Commons is to be the arena for discussing questions of this kind, based upon rumours which hon. Members may hear or read in the papers, this most important duty will be rendered far more difficult unless it is desired that the government of the Navy should be undertaken by the House itself. I therefore most respectfully decline to answer so much of the right hon. Gentleman's Question as relates to reports whether particular employments were offered to this or that officer, or as to what the opinion of the First Lord may be as to the merits of any particular Commander-in-Chief. Nor would the House, I think, expect me to give minute explanations as to the circumstances under which good service pensions are awarded to particular officers; and I will only say that I believe the First Lord of the Admiralty has faithfully carried out the provisions of the late Order in Council, which placed these pensions on a much more satisfactory footing than the previous system, under which, practically, seniority was almost the only consideration. As to the particular case of Sir Thomas Symonds ceasing to be Commander-in-Chief of the Channel Fleet the right hon. Gentleman is entirely in error. Sir Thomas Symonds elected to strike his flag soon after his intended return, not the other day, but on the 3rd of April last. He was then virtually second Vice Admiral on the list, and as he would be superseded on promotion (which then appeared probable before the end of the present year), he was offered either to remain in command until superseded in due course, and to take his chance of a pension, or to strike his flag soon after he returned, with a good service pension which was

then vacant. He elected the latter, his words being—"It would be agreeable to me on the terms you propose; I consider it a very great honour." It so happens that no admiral has since died, and if Sir Thomas Symonds had elected to retain the command he might have had it for a few months longer; but in that case the good service pension would not have been awarded to him, considering the claims of other officers employed as well as himself.

MR. CORRY: I wish to ask the hon. Gentleman, Whether the short answer of Sir Thomas Symonds which he has just read was not sent by telegram, and in cipher; and, whether Sir Thomas Symonds did not subsequently write to the First Lord a letter in which he requested permission to retain his command of the Channel Fleet, the Good Service Pension remaining in abeyance in conformity with the terms of the Order in Council; and, whether he did not dwell upon the great hardship to which he had been subjected by the Board of Admiralty?

MR. BAXTER: I must put it to the House whether I can be expected to reply to such a Question without Notice.

SIR JAMES ELPHINSTONE said, he wished to put a Question, but, if necessary, would give Notice of it. He wished to know, Whether Admiral Drummond was offered the command of the Channel Fleet?

MR. BAXTER: I have already stated that I must respectfully decline to answer Questions of that sort.

## IRISH LAND BILL.

### CONSIDERATION OF LORDS' AMENDMENTS.

#### Lords' Amendments *considered*.

Amendments, as far as the Amendment in page 2, line 31, read a second time; several *agreed to*; one amended, and *agreed to*.

Page 2, line 31, leave out "£10," and insert "£4," the next Amendment, read a second time.

MR. CHICHESTER FORTESCUE moved to disagree to the Amendments made by the Lords in the scale of compensation in page 2, line 31, by which £4 was substituted for £10, and £20 for £30. He did not think that any



statement was necessary on the subject. He need only say that the Government were entirely unable to assent to any such reduction as that contemplated by the other House.

MR. DISRAELI said, that they had not followed the usual course. They had not received from Her Majesty's Government a general view of the alterations to which they did not agree. They did not know what the Government wished them to accept, and what they did not. It was desirable that they should have some general view of the course Government intend to recommend.

MR. GLADSTONE said, he understood that, in cases of that kind, when a great number of Amendments upon important Bills came down to the House of Commons at a late period of the Session, it was hardly possible, and it was not in accordance with the general practice of the House, that by notice of a formal character the course to be taken should be pointed out. The right hon. Gentleman asked for some general explanation from the Government as to the Amendments which they proposed to adopt or reject. With regard to that matter, he was in hopes that it had been settled and understood, for all substantial and practical purposes, by the explanation which had taken place in the House of Lords. But as he thought the right hon. Gentleman had made a reasonable demand, and provided that he (Mr. Gladstone) was not held in this multitude of Amendments to too literal a precision with regard to matters of secondary importance, what he should say would be that the Government proposed to agree to the greater part of the Lords' Amendments, and that the exceptions would be these—The Government disagreed from those Amendments which affected the scale, and also from that which concerned the term of lease, put into the Bill as an alternative to the scale. He thought it would be felt that those two views of the Government hung together, and were equal weights in the two opposite scales of the balance. They should, therefore, ask the House to restore 31 years instead of 21 years as the term of lease. They also objected strongly to an Amendment made in page 3, though he did not think it was a subject about which special interest was felt. The Government proposed to agree, with

some reluctance, to the Amendments which had been introduced by their Lordships with regard to the building of cottages. They would disagree from the Amendment respecting permissive registration of improvements, and from part of the Amendment in the clause which defined what was, and what was not to be considered as disturbance by the act of the landlord. They proposed to amend slightly Clause D of their Lordships, and he believed that these were the only exceptions to a general concurrence in the Amendments which it was necessary to mention. An Amendment had been introduced to enlarge from 20 to 35 years the powers of limited owners. In matters of general legislation, there could, perhaps, be no objection to that; but it seemed to go, in the present case, beyond the analogy of the Bill, and the Government did not contemplate extending the powers of limited owners further than they were affected by the other provisions of the Bill. The Government proposed to accede to the Amendment of the Lords which restored the term of notice to six months from 12 months, to the Amendment for leaving out the 66th clause with respect to the Law of Distress, and to the Amendments made in the Definition Clause.

MR. DISRAELI said, that he certainly preferred the Amendment of the Lords, and he should ask the House to divide on the subject.

DR. BALL said, that all the difficulty of the clause, which, in the Lords, had been called an "arithmetical puzzle," and of the original words of the Bill, would have been obviated if the scale had been a more graduated one, and if there had been smaller intervals between one class and another. It had been hinted that the Government would attempt to introduce a more graduated scale; he did not know whether it was possible that the clause could stand over in order to allow this attempt to be made; but he would suggest that something of the sort should be done in order to meet the difficulties of the Lords, and to prevent any injustice being done.

Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment."—(*Mr. Chichester Fortescue.*)

The House divided:—Ayes 146; Noes 55: Majority 91.

*Mr. Chichester Fortescue*



### Lords' Amendments *disagreed to.*

Amendments, as far as the Amendment in page 3, line 24, read a second time; several amended, and *agreed to*, with a consequential Amendment to the Bill; several *disagreed to*.

Page 3, line 24, leave out from the word "Section" to "3," in line 41, the next Amendment, read a second time.

MR. CHICHESTER FORTESCUE said, that in Clause 3, after "£250," he proposed to disagree to the Amendment made by the Lords, and to re-introduce an important paragraph, which had been struck out. It would run, with a slight Amendment, as follows:—

"Any tenant in a higher class of the scale may at his option claim compensation under a lower class, provided such compensation shall not exceed the sum to which he would be entitled under such lower class, on the assumption that the annual value of his holding is reduced to the sum (or where two sums are mentioned the highest sum) stated in such lower class, and that his rent is proportionately reduced."

In order to understand the intention of the Government in reference to the Bill as it left the House of Commons, the scale must not be taken in its naked form, but as governed by the provision he had referred to. The inevitable effect of the scale, if not tempered by this provision, would be to effect gross inequality between different tenants holding at different steps of the scale, and whose rental or valuation might only vary, perhaps, to the amount of a single £1. With regard to the provision itself, he was aware that it had been designated an arithmetical puzzle; but he did not know that anything could be devised simpler or more practicable than the plan suggested by the Government. It was not pretended that an exactly accurate maximum would be obtained in every case for each tenant in Ireland, but substantial justice would be done to all, and it was for this purpose that he proposed the reinsertion of the provision struck out by the Lords.

MR. GOLDNEY said, the question was a very difficult one to understand; but he understood that the Amendment was designed to remedy the operation of the scale, which would otherwise give a tenant with a rent of £19 a compensation of £95, while a tenant with a rent of £21 would only get £84. On that un-

derstanding he could not object to the Amendment.

MR. SYNAN said, he thought it absolutely necessary to insert the Proviso of the Government in order to arrive at a rough equity instead of strict justice; but it might have been avoided by using more precise and accurate language in the table. If they took £10 as a constant multiple, and gave seven years' rent as compensation for the first £10, and four years for every £20 afterwards, that would give every man what he was entitled to.

Lords' Amendment *agreed to*; Proviso *inserted*.

Amendments of the Lords, in page 3, lines 5, 7, 12, and 13, *agreed to*.

Lords' Amendment, page 3, line 22, after ("writing") insert—

("Or lets the same or any part thereof in conacre, after he has been prohibited in writing by the landlord or his agent from so doing").

MR. B. SAMUELSON moved, that the House do agree to the Amendment made by the Lords, but with this addition, to insert after "conacre" this Proviso, "save for the growing of potatoes or other green crops, the land being properly manured." It was very desirable that conacre of a destructive character should be prohibited; but to prohibit it altogether would be to effect a revolution in the condition of the labourer which would be extremely injudicious, and he must say extremely perilous. The system of part payment of labourers by an allotment of land was so much in accordance with the habits and feelings of the labourers, that he could not see how any amount of money payment would make up to the labourers for the loss. It would also be impossible to utilize the manure which was collected by the labourers in the neighbourhood of small towns. On these grounds he proposed that the House should agree to the Lords' Amendment with his Amendment.

SIR JOHN GRAY expressed a hope that the hon. Member would not press the Amendment, and would leave the important question to which it referred entirely in the hands of the Government. There were certain stages of a great measure like this in which private Members ought not unduly to interpose, and he trusted a Motion would be made from the Treasury Bench to disagree with the

**Lords' Amendment.** The Irish Members were agreed upon this—that the Lords' Amendment would be destructive to the Irish labourer, who had nothing in the world but his little dung heap, which was a mine of wealth to him through the year. Such a step would drive the Irish labourer into discontent and disaffection. He had no right to complain of the hon. Member for Banbury (Mr. Samuelson), whose intelligent support of the cause of Ireland they must all respect; but it would have been better if he had communicated with the Irish Members before proposing this Amendment. He could state that the old con-acre was destructive to farming, but that had now altogether died out. The present system was in no way injurious. He hoped the hon. Member would withdraw his Amendment.

MR. KAVANAGH said, he hoped that the hon. Member for Banbury would not withdraw his Amendment, and that the Government would consent to it. The landlords of Ireland could have no possible objection to a system so guarded, while it would be a great boon to the labourer. Great misconception was entertained as to the origin of the word con-acre. It was used originally to mean land let for the growing of corn; but now it was applied to the letting of a small piece of land for any purpose whatever. It was plain that the hon. Member for Kilkenny (Sir John Gray) did not understand the real sense of the Proviso proposed by the hon. Member for Banbury. He had given them a piteous account of the labourer's dung heap; but the very object of this Proviso was to enable the labourer to turn it to account. He was in the habit of letting land to his labourers himself, and all the farmers round him did the same. He hoped the Government would agree to the Amendment.

MR. M'CARTHY DOWNING said, he thought his hon. Friend the Member for Kilkenny quite misunderstood the Amendment of the hon. Member for Banbury. It was absolutely necessary that the farmer in Ireland should be enabled, as he had ever been, to give land in con-acre which was required, not for the purpose of growing white, but green crops. So much did he approve of the Amendment that he had prepared a Proviso almost word for word the same with that proposed by the hon. Member

for Banbury. He hoped, therefore, that while the Government would not accept the Amendment made in the House of Lords, they would agree to that of the hon. Member for Banbury. If the Bill were to pass without having anything done by it for the labourers, it would be received with execration throughout Ireland.

MR. GLADSTONE said, he could not, on the part of the Government, undertake to accede to the suggestion of the hon. Member for Kilkenny to propose to disagree from the Lords' Amendment, for two reasons. When the Bill was originally before the House there was a general concurrence among hon. Members that a distinction ought to be drawn between the con-acre for the purpose of white and of green crops, it being, for the most part, admitted that for the one purpose it was injurious, while for the other it was beneficial—though perhaps that was not clearly expressed in the Bill as it went to the Lords. That was the first reason why he could not assent to the proposal of the hon. Member for Kilkenny. The other was, that in dealing with an Amendment made by the House of Lords in a great measure such as that under discussion, the Government ought, he thought, to be prepared to consider it not altogether on the merits of the point immediately involved, but also with reference to its bearing on other Amendments as well as on the passing of the Bill. Now, if the suggestion of the hon. Member for Kilkenny (Sir John Gray) were adopted, the passing of the Bill would, he was afraid, be to some extent endangered. The question for each hon. Member to ask himself was, whether he considered the object in view of such importance as to run that risk. The Government certainly could not accede to the proposal. As to the proposal of the hon. Member for Banbury, he believed it to be a good one in itself; but with respect to that also he must say he should not like to risk the passing of the Bill by calling on the House to accept it. The Government, at the same time, would gladly yield to the general expression of opinion in the House on the subject should it be found to be in favour of the Amendment. It was something that it was supported by the hon. Member for Carlow (Mr. Kavanagh), whose views on the subject were entitled to the greatest

*Sir John Gray*



weight, not only because of the ability and intelligence which he had brought to bear on the discussion of the Bill, but from the strong desire which he had shown to promote the welfare of his country.

MR. MAGUIRE thought the Amendment was a very great misfortune, and hoped hon. Gentlemen on the other side of the House would follow the advice which had been given by the hon. Member for Carlow. This was not a question of party, and everyone ought to endeavour to make the Bill as palatable as possible to the lower classes.

LORD CLAUD HAMILTON observed that when the Bill was before the House on a former occasion, he had drawn the distinction between the two systems of con-acre referred to by the Prime Minister, and had advocated the adoption of a proposal similar to that now made by the hon. Member for Banbury. He trusted the Amendment would be agreed to.

*Words inserted.*

Lords' Amendment, as amended, *agreed to.*

Lords' Amendment, line 24, leave out from ("section") to ("3") in line 41.

MR. CHICHESTER FORTESCUE moved that the House agree to the Lords' Amendment, by which certain exceptions from the general effect of the clause, which were intended to give the tenant the power of setting aside pieces of land for the purpose of building labourers' cottages, were struck out. If he were simply to consult his own wishes, he should prefer the Bill as it dealt with that point in its original shape; but the matter was one with regard to which he did not, for the reasons which had been just stated by his right hon. Friend at the head of the Government, think it would be wise to insist by dissenting from the Amendment. The importance which was attached to the provision with respect to the building of cottages had, he thought, been greatly exaggerated by the friends of the labourer, for the security which the Bill would give the tenant-farmer could not fail to react most beneficially on the labourers whom he employed. The question of encouraging the building of cottages, he admitted, was one which ought to be dealt with; but he did not think it could be done so to any useful

purpose in the present Bill, and, as he had stated at a former stage of the Bill, he hoped to be able hereafter to propose legislation on the subject which would have the effect of improving the law as it stood.

MR. SYNAN regretted that the Government had accepted the Amendment of the Lords, which did not place the labourer in the position in which he ought to stand. It deprived the tenants of all power of erecting cottages for their labourers, and left it entirely in the hands of the landlords; and, in many instances, the tenants would be deprived of the power of keeping labourers on their farms. The condition of the labourers was becoming very alarming, and every effort ought to be made to improve their position; and he hoped the Government would insist upon restoring the clause to its original form.

MR. M'CARTHY DOWLING observed that it was utterly impossible for labourers in portions of the county which he represented to get plots of ground on which to build cottages. The result was that they were driven into the neighbouring towns, where the rates had in consequence been so increased that some of the small shopkeepers were at the present moment half bankrupt. The Government, he added, should provide for such a state of things, for if the Amendment were agreed to, and it was allowed to continue, it was impossible to say what another winter in Tipperary would bring forth.

MR. GLADSTONE acknowledged the able assistance which had been rendered in the passing of this Bill by the hon. Members for Cork and Limerick—[*Laughter*—]and was sorry to take on this occasion a course which they did not approve. He did not see why such an acknowledgment should be considered an unfitting one, for the support of these and other Members representing Irish constituencies was of the utmost consequence in passing a Bill which was founded upon moderate principles, and which the Government hoped to make acceptable to the people of Ireland. With reference to the present position, it should be remembered that the Government carried those provisions with much difficulty even through this House. Undoubtedly, they were regarded with more of jealousy and apprehension than of favour, and not upon narrow grounds. The Bill



proposed to set up the right of the tenant to erect cottages for the labourer against the will of the landlord. To this the objection was raised not only that these cottages might be of an indifferent character, but, in conformity with English experience and practice, that the best landlords were perhaps the most jealous of allowing labourers on their estates to be housed by their tenants. It was more the kind disposition of the House to attend to the recommendations of the Government than the judgment of the House itself which induced them to pass these provisions; and, as they might raise a serious obstacle to the passing of the Bill, he did not think it right to insist on them, especially as the House would not thereby abandon the hope of legislating in a separate shape on the subject of labourers' cottages. Whatever the convictions and desires of the Government might be, it was their duty to sacrifice them to the general prospects of the measure.

SIR JOHN GRAY reminded the right hon. Gentleman that under the Bill as it left this House the tenant was not to erect a cottage for the labourer without applying, in the first instance, to the landlord or his agent. He regretted the course which had been taken by the Government; but he did not think it desirable to throw any obstacle in the way of the passing of the Bill.

DR. BALL repudiated any notion that, in supporting the Lords' Amendment, he and those on his side of the House were actuated by any want of interest in the condition of the Irish labourer. On the contrary, when the Bill was in Committee, he, with several hon. Friends, some of whom were large landed proprietors in Ireland, spoke strongly as to the want of better cottages for the labourers. But the clause as it stood did no good whatever for the labourer; because it offered no standard as to his dwelling, and provided no means of improving or alleviating his condition, and it was liable to be used not for the benefit of a *bonâ fide* labourer, but to facilitate subdivision in favour of relatives of the tenant, who would be introduced under the guise and assumed character of labourers. He agreed with the right hon. Gentleman the Chief Secretary for Ireland that the House could not legislate for labourers

in the present Bill. The hon. Member for Galway (Mr. W. H. Gregory) had proposed a number of clauses laying down certain conditions with regard to the labourers; but everyone felt that it was a new scheme, relating to a different subject from that dealt with by the Bill. In supporting the Amendment, he repeated the desire of his hon. Friends to assist the labourer in every possible manner.

MR. W. H. GREGORY said, he thought that no such danger would arise under the clause, which was quite sufficiently guarded by the Proviso. If it had been allowed to stand, tenants would have applied to their landlords for cottages; the landlords would have erected them rather than allow the tenants to do so, and thus the example would have spread of providing commodious and decent cottages for the labouring population in Ireland. He could not help regretting deeply that in this Bill there was not now a single provision for the benefit of the poorest and most neglected portion of the Irish people.

MR. BAGWELL thanked the Government for giving way on this question, believing that the clause would have led to the subdivision of the land, and have afforded no real benefit to the labourer. The 9th clause gave the landlord the power of taking land for the building of cottages, and he was sure the labourers were in a much better position than they would have been if the Bill had remained in its original form in this respect.

MR. AGAR-ELLIS said, he hoped there would be no opposition to the Amendment, for if the clause were passed as it left the Commons it would be inoperative, or else mischievous. Bad cottages would be built, because there was nothing to prevent it.

MR. MAGUIRE said, the argument based upon the 9th clause implied that unless the landlords built cottages there were to be none built, and yet it was notorious that it was chiefly by the landlords that the cottages had been levelled. Under these circumstances, it was most tyrannous to say that a respectable tenant should not build cottages, for how could a man cultivate land without labourers? Energetic men were leaving the country every day, and it was bad policy not to give them some inducement to remain in it.

COLONEL STUART KNOX said, it must have gratified the hon. Member for Limerick (Mr. Downing) to hear from the head of the Government that he had given great assistance in the passage of the Bill, for he believed the general impression was that the hon. Member had given them many heavy and wasted hours. Throughout the debates hon. Members on the opposite side of the House had pointed out that it was the labourers of Ireland who required assistance much more than the tenants, and now that it was too late to do anything for the labourers, the hon. Member for Limerick and others were calling out that the labourers of Ireland ought to have something done for them. The result must be to sow the seeds of agitation in Ireland, and to do more harm to his unhappy country.

MR. BRUEN said, he thought there was some misapprehension as to the effect of accepting the Lords' Amendments: as he read the clause it did not say that no one but the landlord was to erect cottages; while the tenant might take his plan to the landlord and ask permission to build, and no landlord would refuse to have such an improvement carried out. The hon. Member for Cork (Mr. Maguire) rated the landlords too low when he supposed they would arbitrarily and unreasonably stand in the way of improvements being made in the interest of the labourer.

MR. MURPHY said, he did not agree with the Lords' Amendment. A good tenant would never be refused by his landlord permission to build a cottage; but this Amendment passed in the other House, while it would not be of much advantage to the owners of land, would, in the present position of the country be looked upon, if not with hostility, at all events with great disfavour. He regretted that the Government had not found it to be consistent with their duty to disagree with it.

SIR JOHN ESMONDE said, that if he were a labourer he should much prefer to have the assurance just given by the Government that this question would be dealt with next Session, to the Proviso which had been struck out by the House of Lords, under which—as no conditions were imposed as to the description of cottages to be erected—it would be in the power of any occupier to build hovels instead of proper dwellings for

his labourers. He should support the Government in the course adopted by them, which only involved a delay of a year, or rather nine months, and which he believed would tend much more than the re-insertion of the Proviso to elevate the condition of the labouring class.

Motion made, and Question put, "That this House doth agree with The Lords in the said Amendment." — (*Mr. Chichester Fortescue.*)

The House divided:—Ayes 396; Noes 29: Majority 367.

Page 4, line 1, leave out the word "thirty - one," and insert the word "twenty - one," the next Amendment, read a second time.

MR. CHICHESTER FORTESCUE proposed to disagree to the Amendment of the Lords. The House knew that means had been taken to enable the Courts under the provisions of the Bill to consider all the circumstances of the tenant's case; and he held it very undesirable to enact that the existence of a 21 years' lease, which was not in accordance with Irish habits or opinions, should exclude a tenant absolutely from claiming any privilege under Clause 3. In accordance with Irish ideas, a lease, to be of any great value, must be for 31 years. He therefore moved that the House do disagree to this Amendment.

MR. DISRAELI said, he would not delay the Committee with further discussion on a Bill which had been debated so fully on previous occasions. The Amendment of the Lords appeared to him to be one which was entirely justified by the circumstances of the case. Twenty-one years was a common tenure in England and Scotland, and it had been found perfectly adequate to all the circumstances which should attend a good lease. In the present case they were asked to grant a lease of 31 years, which under the Bill might be enjoyed without making any improvements whatever. That appeared a condition of affairs highly undesirable for them to support, and he should, therefore, ask the opinion of the House on the Amendment.



Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment."—(*Mr. Chester Fortescue.*)

The House divided:—Ayes 262; Noes 186: Majority 76.

Amendments, as far as the Amendment in page 7, line 4, read a second time; several *agreed to*; several amended, and *agreed to*, with a consequential Amendment to the Bill.

Page 7, line 4, to insert, after the word "pounds," the words—

"5. Where the Court shall be of opinion that in consequence of its being proved to have been the practice on the holding, or the estate of which such holding forms part, for the landlord to make such improvements, such presumption ought not to be made:

"6. Where from the entire circumstances of the case the Court is reasonably satisfied that such improvements were not made by the tenant or his predecessors in title:

"Provided always, That where it is proved to have been the practice on the holding, or the estate of which such holding forms part, for the landlord to assist in making such improvements, such presumption shall be modified accordingly."

And also insert Clause A—

("Permissive registration of improvements.")

"Any landlord or tenant who may be desirous of preserving evidence of any improvements made by himself or by his predecessor in title, before or after the passing of this Act, may at any time (subject to the provisions hereinafter contained) file a Schedule in the Landed Estates Court, specifying such improvements, and claiming the same as made by himself or his predecessors in title; and such Schedule so filed shall be *prima facie* evidence that such improvements were made as therein mentioned: Provided always, That notice in writing of the intention to file such Schedule, together with a copy thereof, shall be given by the landlord to the tenant for the time being of the holding on which such improvements shall have been made (or by the tenant to the landlord, as the case may be,) within the prescribed time before applying to the Landed Estates Court to file the same; and if the person receiving such notice shall dispute the claim made by such Schedule, either wholly or in part, he shall be at liberty within the prescribed time and in the prescribed manner to apply to the Civil Bill Court to determine the matter in difference, and in such case such Schedule shall not be filed unless or until leave shall have been given to file the same either in its original or in any amended form by the Civil Bill Court; Provided also, That before filing any such Schedule proof shall be made in the Landed Estates Court by statutory declaration that the notice hereby required has been duly given, and that no application has been made within the prescribed time by the party receiving such notice to the Civil Bill Court; or (if any such application has been made) that leave has been given by the Civil Bill Court to file such Schedule."

*Mr. Disraeli*

the next Amendment, read a second time, and *agreed to*, as far as insert Clause A.

Lords' Amendment, insert new Clause A (Permissive registration of improvements).

MR. B. SAMUELSON moved in line 1, to leave out the word "or" and insert the word "and." He explained that as the clause had been agreed to by the House of Lords a registration of improvements could take place by an action being taken either by the landlord or the tenant in the Irish Landed Estates Court. The object of his Amendment was to prevent any registration of improvements taking place except at the joint instance of both the landlord and the tenant.

Amendment proposed to the said Clause, in line 1, to leave out the word "or," and insert the word "and,"—(*Mr. Samuelson.*)—instead thereof.

SIR ROUNDELL PALMER said, he thought the Amendment of the hon. Member for Banbury unnecessary. He should adhere to the clause as it came from the Lords, the object of the clause being to prevent the great injustice which might possibly arise where the landlord and tenant were not prepared to come to an agreement of the kind which had been suggested.

THE SOLICITOR GENERAL FOR IRELAND (*Mr. Dowse*) said, he did not see the necessity for this registration clause at all, and it would encourage at once a multitude of what he might term *quasi* suits. The landlord would come to the Court to register improvements; the tenant would employ an attorney; and out of the 600,000 holdings in Ireland there would probably be several thousands of these *quasi* suits. He maintained that the Amendment of the hon. Member for Banbury was necessary, and that without it the Government would not accept the clause. They had always been opposed to such a clause, and one reason why they were disposed to accept the Amendment of the hon. Member was because they were anxious to go as far as possible in the direction of meeting the wishes of the House of Lords, without altogether departing from the determined opposition which they had always entertained for the principle embodied in the clause.



DR. BALL said, it would be better to meet the Amendment of the Lords by a direct negative than to propose a change which, while it appeared to offer something, really offered no advantage at all. The object of the Lords' Amendment was that either party might obtain the permanent record of a fact. It was not necessary for the two parties to agree between themselves as to the fact. If, indeed, they were both agreed—which was substantially the proposal of the hon. Member for Banbury (Mr. Samuelson)—what was the advantage of going to the Landed Estates Court? The clause inserted by the Lords was to meet the very case in which they did not agree, and it was because they did not agree that the clause was requisite. He denied that the clause would give rise to litigation. It would be used only where it was right that it should be used, and where there was something to be recorded; and, considering the large transactions which might be involved, it was only just to both parties that such a clause should be retained. The clause offered a fair and reasonable means of disclosing the obligations on an estate without injustice to anyone; it would never be used to injure or oppress anyone; and he therefore hoped the Lords' Amendment would be agreed to.

MR. CHICHESTER FORTESCUE said, the right hon. and learned Gentleman had stated with clearness the object and effect of the clause, which constituted the very reasons why the Government could not accept it. It was not intended for cases of dispute; but, in order to avoid possible controversies in the future, it was thought necessary to create an unknown number of controversies at once in cases respecting which, in the vast majority of instances, controversy would never otherwise arise. In many cases, by lapse of time, improvements would wear out without being the occasion of dispute; and in others the parties would agree without appealing to the assistant barrister. The Government did not wish by this Bill to create any temptation to parties to involve themselves in disputes prematurely; and they were very unwilling to expose the tenant to the danger which lurked under the clause—that of being taken up to the Court in Dublin by a timorous or suspicious landlord. To a small tenant that unnecessary process would be an expensive one. The Go-

vernment opposed the clause quite irrespective of the Amendment of the hon. Member for Banbury, which of itself was a valuable one and could do no harm to either party. It would provide that where they were agreed there should be an authoritative record, and that would meet the case of encumbrances; but that case did not weigh heavily on his mind, because the charges in question could be only the result of additional value conferred by improvements, and such charges were very different from those which detracted from the value and security of property. On the whole, they would do wisely not to agree to the Lords' Amendment; but it would not be without advantage if they agreed to that of the hon. Member for Banbury.

COLONEL WILSON - PATTEN said, that if the clause would enable the landlord to take advantage of the tenant he would oppose it; but he looked upon the clause as essential for carrying out the provisions of the Bill, and had it existed prior to the Encumbered Estates Court a great part of the discontent now existing in Ireland would have been avoided, because purchasers would have known what charges their estates were liable to.

MR. SYNAN said, the proper course for the Government to take was to meet the clause with a direct negative. The fallacy in the argument of the hon. and learned Member for Richmond (Sir Roundell Palmer) was that the tenant was a free agent, a proposition which was negatived by every part of the Bill. A small holder would rather give up a claim than go to law with his landlord.

MR. G. B. GREGORY said, anybody having the slightest legal experience must know that nothing prevented litigation so much as clear and distinct statements of facts put in writing while well remembered. The clause would provide for the carrying out of such a plan. He agreed with his right hon. and learned Friend in thinking that without this provision it would be most difficult to deal with estates in Ireland.

MR. BRUEN said, that while claims for compensation could be advanced at any time by the tenant, other claims could be made only in consequence of the landlord's own act; this it was that placed claims for compensation upon a different footing from other claims; and

it was only fair that the landlord should have full information when it could be afforded him without doing injustice.

MR. STAPLETON said, the hon. Member seemed to overlook this point, that if this clause were not passed there could be no litigation unless there was a change of tenancy within 20 years, which change was the exception and not the rule; but if the clause were passed there might be *quasi* litigation whenever an improvement was made.

Question put, "That the word 'or' stand part of the Clause."

The House divided:—Ayes 186; Noes 249: Majority 63.

Amendment *agreed to*, with Amendments.

Amendments, as far as the Amendment in page 8, line 8, read a second time; several *agreed to*; one amended, and *agreed to*.

Then the Proviso of the clause relating to Notice *disagreed to*.

Lords' Amendment, page 8, line 7, after ("rent") insert "or for breach of any condition against assignment, subletting, bankruptcy, or insolvency."

MR. CHICHESTER FORTESCUE moved to agree to that Amendment of the Lords in the first part of the clause, but to retain the latter part of the clause, in which another Amendment was made, as it originally stood.

MR. SYNAN complained that the Government now proposed to adopt an Amendment which had been moved in that House and rejected without a Division.

MR. GLADSTONE observed that it was quite a mistake to suppose that this Amendment had been moved and rejected without a Division. It was quite a different Amendment.

Lords' Amendment *agreed to*.

On the next Amendment, which struck out the words—

"Unless the Court decides that it ought on special grounds to be so deemed in the case of a person claiming compensation on the determination by such ejectment of a tenancy existing at the time of the passing of the Act, and continuing to exist without any alteration of rent up to the time of such determination."

DR. BALL said, these words gave a very wide discretion to the chairmen of Courts, the Government proposition being

*Mr. Bruen*

wholly unrestrained. There was no subject on which greater apprehension was felt by the landlords of Ireland than this clause, because they considered that there ought to be in the Courts the greatest facility for enforcing the payment of rent. This clause, however, gave extraordinary powers to chairmen, without affording them the slightest guide or [definition of the principle on which they were to act. The Lords' Amendment appeared to him to have two advantages—first, it defined what were the cases in which a chairman might exercise his discretion; and, secondly, it totally excluded the idea of disturbance on the ground that the rent was too high. He asked the Government to be content with the wide discretion given in the Lords' Amendment.

MR. GLADSTONE said, the Government never concealed their opinion that this, although a necessary enactment, was a grave one. Having adopted it from a conviction of its necessity, they applied to it all the limitations which occurred to them, or were suggested by hon. Members. The clause when so modified was assented to by the Government, and no Division was taken upon it. Under these circumstances he hoped it would not be considered extraordinary if he could not assent to the Amendment.

Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment." — (*Mr. Chichester Fortescue*.)

The House divided:—Ayes 248; Noes 171: Majority 77.

Amendments, as far as the Amendment in page 9, line 2, after the word "claim," insert Clauses B and C:—read a second time; several *agreed to*; one amended, and *agreed to*, with a consequential Amendment to the Bill; one *disagreed to*.

Page 8, line 2, after the word "claim," insert Clauses B and C, the next Amendment, read a second time, and *agreed to*, as far as the Amendment insert Clause B inclusive.

MR. CHICHESTER FORTESCUE proposed that Clause B be *agreed to*.

MR. M'MAHON said, he hoped the Government would not agree to Clause B, because it would be a great injury to the tenant. It would neutralize the whole of the Bill.



MR. MCCARTHY DOWNING agreed with the hon. Member for New Ross, and thought that the Amendment was one of the most important made in the other House. The assignee ought to be protected against the act of the landlord four or five years after taking possession.

MR. CHICHESTER FORTESCUE agreed that the point under discussion was one of the most difficult in the Bill. It had received the most careful consideration of the Government both in that House and in "another place," and he trusted the House would not undo the work that had been done with a view to the settlement of the question.

*Amendment agreed to.*

Further Consideration of Lords Amendments deferred till this day.

### TRUCK ACTS.

#### MOTION FOR A COMMISSION.

MR. MUNDELLA, in rising to call the attention of the House to the operation of the Truck Acts, and to move—

§ "That, public representations having been made to the effect that systematic evasion of the Truck Acts prevails extensively in the Coal and Iron mining industries in Scotland, as well as in other trades and places in the United Kingdom," this House humbly prays Her Majesty to appoint a Commission of Inquiry into such alleged offences, and to take such steps as She shall be advised for obtaining from Parliament any special powers that may be required for conducting such inquiry, or for suppressing such offences,"

In dealing with this question, he should only lay before the House facts which were beyond dispute. Within the last few weeks there had been Petitions presented to the House, signed by upwards of 80,000 miners, complaining of their grievances, and particularly of the infringement and evasion of the Truck Acts in Scotland, and if no extraordinary circumstances had recently transpired, there was quite sufficient in the matter of those Petitions to induce the Government to order an investigation. In the early part of last year *The North British Daily Mail*, published in Glasgow, sent a Commissioner through the mining districts to investigate the complaints made by the miners and the workmen in the iron manufactories of Scotland, and the mode in which they were dealt with by the truck system. In 1867 a Committee of that House reported that fearful

abuses prevailed in England, and more especially in Scotland, in connection with mines; that owners of mines, contrary to the intention of the Truck Acts, made large profits by means of their store shops, which they induced their workmen to deal at by various means; and that the present law required alteration in order to render it more effectual. The letters which had appeared in *The North British Daily Mail* on the subject were written with striking ability, and the statements they contained were given with the utmost circumstantiality. The subject having been taken up by the leading organs in this country, the hon. Member for Ayr (Sir David Wedderburn) put a Question to the Home Secretary, inquiring whether any steps were likely to be taken with regard to it. The Home Secretary, in reply, stated that if the question were brought before the House in some tangible shape it should receive his best consideration. On the 17th of July of last year a most able leader upon the subject appeared in *The Times*, calling upon that House to investigate the question. The conclusion of that article was as follows:—

"We certainly trust that the Home Secretary will think it his duty to institute a searching investigation into the matter, and to cause the Act to be enforced with rigour against all offenders; and if, as at present framed, it is insufficient against the noxious practices, to take the proper steps for its amendment. But the surest remedy is the extinction of the 'long-pay' system. To this end, employers, operatives, and the public should contribute their utmost."

That article was one of the most forcible summaries and epitomes of the whole question that it had been his lot to meet with. When they remembered that it was only in 1831 the Truck Acts were first passed, and saw all the good which they had done, he was quite sure he would not call in vain on the House to extend and perfect their beneficent action. Looking at the evidence which was given before the first Committee, it was difficult to realize that we were living in the same country, so great was the change which had taken place, the truck system being entirely unknown now in Lancashire, where it at one time overshadowed the prosperity of the working classes, and being replaced by a co-operative system, in which £5,000,000 was turned over every year, a profit of £10,000 a week going into the pockets of the working men. In 1854 an in-



quiry was instituted into the truck system in Scotland, and Mr. Hill Burton reported how generally the truck system prevailed, and how baneful were its effects. The people found it impossible to get a few pounds out of the owners of mines, even for the most necessary purposes. Since then the iron trade had greatly developed, and he was sorry to say that the evil had kept pace with it. Magistrates, and men in high social positions, were depriving working men of their hard earnings by one of the most cunningly-devised schemes of evasion of law this country had ever witnessed. There were three branches of the system. The first was what was known as "poundage"—it could not be dealt with under the Truck Acts; the second was "truck" pure and simple; the third was "truck" by evasion. The system, as a whole, and its several branches, found an important auxiliary in what was known as "long pay." There were two systems of reckoning in Scotland—one the 14 days', and the other the month's reckoning. The fortnight's was, in practice, a three or four weeks' reckoning, and the month's reckoning, in reality, extended over five or six weeks. Now, everyone knew that, as a rule, workmen and their families were not in a position to do without their wages for such a time. Every employer knew by experience that short payments were the best for the workmen, and that it was of great advantage to the family of the workman that his week's wages should be paid on the Friday, in order that the man's wife might be able to go to market in good time. In the Scotch works to which he was referring, if a man wanted an advance of say 10s. out of the money he had earned, it was made to him; but he had to pay interest for it at the rate of 1*d.* in the 1*s.* or 1*s.* in the pound, so that from 800 to 900 per cent per annum was paid by the poor workmen for advances made to them on the security of wages which they had earned. The "truck," pure and simple, was so dangerous that the large employers did not adopt it. Small employers and middlemen were the persons who practised it. The more complicated truck system was that generally in use, and he would explain it to the House. An Act of Parliament required that the men should be paid in coin. How was that observed in the lotter and broken in the spirit? A

workman went and asked for an advance of 10s. out of the money he had earned. The advance was given him, and an entry of it was made in a little book, which was taken away by the person getting the advance. Close to the building in which the advance was made, but outside that building was a store kept by some stranger; but the goods in which were the property of the employer, who paid the wages and made the advance. On the counter of the store the workman laid down his money; and, in return, he got what was called "a line." This line was an order on the store for goods to the amount of money laid down by the workman. Spirits were sold in those stores, and he might mention that before the Mines Commission it was shown that one Member of that House held 11 spirit licences. In the orders of lines, whiskey was entered as "A. Q." With £50 an employer could make advances nominally amounting to £400 or £500; because, no sooner was an advance laid down on the counter of the store than it was returned to the employer's cashier. In some cases a slide was used to facilitate the transfer of the money from the store to the employer's counting-house. It occasionally happened that a man tried to "slope" the store; but if he did slope it, a little cross was made on the leaf of his advance-book, and the next time he presented himself for an advance, nothing further was said than that no advance could be made to him. The House would see that there was an engagement required from the workpeople that they should deal at the store; but by the plan of crossing, or, as it was termed, "staking" the books, sloping the store was prevented. Sometimes the books of all the members of a man's family, if they worked in the same employment, were staked; and if a man continued to slope the store after his book had been staked, he was discharged from the employment. He was glad to say that there were some honourable exceptions; and he might particularly mention the firm of Messrs. Baird, of the Gartherie Ironworks. The system he was describing was repudiated by some employers. He held in his hand original documents — "staked" books and "lines" — which showed the manner in which the system was worked. He would give the House some idea of the kind of supplies furnished under that

system. A number of samples sold at the stores were placed in the hands of a respectable wholesale provision merchant and a respectable wholesale grocer for examination, having come from a store belonging to a large iron manufacturer. The reports made contained the following:—

“Sugar, short weight and bad value; cheese, American, short weight and very dear; sugar, bad value, short weight,  $\frac{3}{4}$  oz. in  $\frac{1}{2}$  lb.; cheese, 3 ozs. instead of 4 ozs.; sugar, short weight, quality good,  $\frac{1}{2}$  oz. deficient in  $\frac{1}{2}$  lb.; cheese, short weight and dear,  $\frac{3}{4}$  oz. deficient in 4 oz.”

The examiners further said that having made a careful report of seven different kinds of teas, they considered that the supplies made by retail shopkeepers were 1s. per pound better in value than those supplied by the stores. Some fustian which was supplied to miners at 3s. a yard was found to be only equal to what was sold at retail shops in Glasgow at 2s. 4d. He did not accuse the employers of being guilty of that practice of short weight; but these things only showed how demoralizing the effects of the truck system were upon all who were connected with it. The storemen had certain quantities of goods handed over to them, and what was the result? Why that the storemen cheated both the masters and the workmen. In one instance a storeman died with £10,000 in the bank to his credit, which the masters endeavoured to seize, alleging that their stores had been robbed to that amount. He (Mr. Mundella) had examined 11 exhausted “lines” and found six of them to have been added up wrongly, the errors in every case being against the workmen. The whole 11 lines were from one man; and if the mistakes they contained had been made partly on one side and partly on the other, there might perhaps have been some excuse for them; but it was a significant fact that, he repeated, they were all against the workmen. In asking the House for a judicial inquiry, he would not adduce all the details which he could easily bring forward, many of them even worse than those which he had stated. All he asked was that the House would support him in seeking for an investigation that they might know whether those things were so or not. There was the law and there were the facts; let them know how the matter stood. If his allegations were not substantiated

then his case broke down; but if it was substantiated let them have some legislation which the House itself, which a Committee had demanded, and which the workmen had earnestly prayed and now generally looked for. The influence of the truck system on the workmen and their families was most demoralizing. When those poor people went to lay out their hard earnings at the stores they were frequently treated rudely and discourteously; and if a man had a claim to 4s., and got 3s. 7½d. worth of goods, it was simply a question of what he would have the remaining 4½d. in, and he was often induced to take it out in whisky on the spot, every facility being given to men and women to indulge in drink. The truck system reduced the people to a state of practical serfdom, while it also encouraged reckless habits of improvidence and intemperance among them. Nor was the evil of the system confined to the workmen only. The ironmasters who paid their workmen in coin were exposed to an unfair and most unequal competition with those who paid in “truck.” The condition of the Clevedon iron district presented a striking contrast to the districts in Scotland to which he had been referring. In the Clevedon district the men were prosperous, no strikes occurred, and all trade disputes were settled by masters and men meeting round the same council table, and calling in an independent umpire to decide between them. There, however, the ironmasters were prejudiced by the violation of the Truck Acts, practised by their Scotch competitors. He would show the House a specimen of a sort of truck note issued to a workman for a sum of about 9s. It bore date May 17, it became due on the 9th of July, and the workman was to take it to a certain store where its value was to be given him in goods. The store was either the property of the employer, or there was collusion between him and the storekeeper, and an allowance was made to the employer in respect of the commodities supplied, which practically amounted to a deduction from the workman’s wages. The system also prevailed in Glamorganshire; and letters in the country papers and in *The Mining Journal* complained of a like system prevailing in that part of South Wales. Nor was the system confined to Scotland and Wales. A Factory Inspector had in-



formed him that a like mode prevailed at Ringwood, where articles were served to the workmen at a high rate. Since this Notice had appeared in the Paper he had received a letter from one of the secretaries of trades unions in North Nottinghamshire, stating that there were 20 masters in that district who paid the frameworkers on the truck system, and they charged beyond the market value, and the workmen were obliged to sell a portion of the goods obtained on truck in order to buy coals and pay for their children's schooling, and other expenses. If a man there was a member of a co-operative store he was punished. He hoped that the House would not permit such a system to be continued. The workmen in some cases had clubbed their money to prosecute; but what was a fine of £5 to one of these masters. To get one of them fined £5 had actually cost the working men £15. The fine was soon made up, the system went on again, and the man who had dared to inform against his employer was victimized. There was no use in inflicting a fine of £5, £20, or even £100. The Board of Arbitration with which he was connected had advertised in the Nottingham papers that they would assist in putting down this system, and within the last six months a sub-contractor was prosecuted. He was told if he acknowledged his fault, and promised not to transgress again, he would be forgiven. The man sat silent for awhile, and then said—"I will make no promise; you may fine me," and he was fined. But these people cared nothing for a fine. The working man of whom he had spoken said that nothing would do to put down this system except imprisonment. It might be said—"Oh, try moral influence." Let them try the moral influence of the chaplain of the gaol for a fortnight, and his impression was, that they would soon get rid of this contemptible system. How could they hope to inspire working men with respect for the law when they saw magistrates, deputy-lieutenants, and Members of Parliament engaged in such practices? If they were to put an end to this system those who administered the law must themselves be pure. He hoped the right hon. Gentleman the Secretary of State for the Home Department would grant the inquiry, and that it would not be said in this country that

"Offence with guilty hand can shove by justice." The hon. Gentleman concluded by moving his Motion.

SIR ROBERT ANSTRUTHER seconded the Motion. He bore witness to the urgent necessity which existed for some legislative Act being passed with regard to the truck system. It was hardly possible to conceive a system more abominably iniquitous than that under which the master advanced to his men their own money at 5 per cent per month, and that not as a right, but as a favour. The facts that had been brought out by the commission to which his hon. Friend had referred were such that he felt convinced it was absolutely necessary some inquiry should be made. It was scarcely possible to imagine a system more demoralizing. All independence was crushed out of a man when he knew that his earnings were not his own. The 3rd section of the Acts prescribed that the entire amount of wages earned by the artificer should be paid him in the current coin of the realm, and that every payment made by the delivery of goods was illegal. But the Acts were evaded. A man was paid in coin on one side of the street, and then he was compelled to go to a store on the other side and to hand in the whole of his wages. It was not merely that the man had to buy what he wanted in the store, but the whole of his wages were swept by the storekeeper into the till, and the man received a line, which he was unable to decline, for goods which were often of very inferior quality. The encouragement to drink under this system was lamentable. It might be urged that anything which might be done to check the system would be an interference with the liberty of the subject as far as the master was concerned. It might be so; but was not the system itself an interference with the liberty of the subject, by the man who was strong over the man who was weak? It was a curious fact that, though the statements with regard to this system had been in circulation for many months, they had not received a single contradiction. He acknowledged it might be difficult to apply a remedy; but he believed weekly payments would go far to supply one. He was afraid there was very little chance of the Mines Regulation Bill passing into law this Session; and, therefore, the Amendment providing for weekly



payments, if it found favour with the House, as he was sanguine it might, could not come into operation this year. Under these circumstances, he ventured to urge on the Government that they should sanction the inquiry which was asked for, and which ought always to be granted when an allegation was made that Acts of Parliament had been violated.

Motion made, and Question proposed,

"That, public representations having been made to the effect that systematic evasion of the Truck Acts prevails extensively in the Coal and Iron mining industries in Scotland, as well as in other trades and places in the United Kingdom, this House humbly prays Her Majesty to appoint a Commission of Inquiry into such alleged offences, and to take such steps as She shall be advised for obtaining from Parliament any special powers that may be required for conducting such inquiry or for suppressing such offences."—(*Mr. Muddell.*)

MR. ANDERSON said, that in addition to the systems of truck which had been referred to, there was still one other system resorted to of a still more insidious character. It was that the employer built upon the ground on which the works stood, or contiguous, a store, which he let to some person with whom he had no apparent connection. The employer's name was not over the store, nor did he in any way manage the buying or selling which went on there. But he received a half-yearly rent of so magnificent a character that it, in fact, amounted to a profit upon the business; and that system was much more difficult than any other to put down by legislative enactments. There were, he was sure, many respectable employers who would be glad to have the truck system repressed; but, on the other hand, he believed that inquiry would show many not to be so innocent as they now seemed. If Royal Commissioners were sent down to make local examinations, and had power to examine witnesses on oath and to call for books and papers, facts would be elicited which former inquiries had not brought to light. The remedy which he suggested was weekly pay; but it must be not a mere advance, but a weekly balancing of the accounts between employers and employed; and although such a plan would cause much more trouble to the former, who would be sure to oppose such a proposition, it would not be a greater interference with the liberty of the subject than much of the

legislation of the past 30 years. He cordially supported the Motion.

SIR EDWARD COLEBROOKE said, the case for an inquiry did not rest merely upon the statements which had been made to the House; for there were, in addition, the investigations which had been made by private individuals, the results of which had been published in newspapers. The abuses which had been complained of were confined to certain branches of trade; and, when hon. Members considered the origin and the rapid growth of those trades in which they principally existed, and the large numbers of persons who were brought together in certain districts, it might be found that the workmen themselves were the first to instigate the system for their own convenience. At the present day, however, such were the facilities of trade that the wants of workmen could be easily supplied, and the time had arrived when employers ought to consider whether it would not be to their interest to abolish the truck system, with a view to establishing a better understanding than now existed between themselves and those whom they employed. He doubted whether the evil was so widely spread as had been represented, for if it was he wondered that such abuses could have arisen without meeting with resistance from workmen, who, according to the statements which had been made, would seem to be mere serfs and bondsmen. They had, however, entered into combinations to control the rate of wages, and in the West of Scotland almost every newspaper contained some report of meetings of thousands of workmen, who passed resolutions in the open day; and it was, therefore, impossible to deny that a spirit of independence prevailed among those workmen, which might be brought to bear upon the abuses of which there was probably some reason to complain. Another reason why an inquiry should be instituted was that it might lead to some practical suggestion whereby the abuses might be remedied, because no former inquiry had resulted in anything that was worthy the consideration of the House. He did not deprecate inquiry, but wished to point out that the difficulties of the case were so great that the House might feel some difficulty in coping with them; and he looked to the growth of intelligence and independence among the working men rather than to legislation.

MR. BRUCE said, it was impossible to have listened to the very able speech of his hon. Friend who had introduced this subject without perceiving that a great evil existed, and he feared that it was of such a character that some time would elapse before the Legislature could extirpate it. The truck system had long occupied the attention of Parliament. He had himself taken part in several inquiries into the subject, and was most anxious to meet the wishes of his Friend and to satisfy the yearnings of the working people that so iniquitous a system should be put an end to. But although the Government would give every facility for an inquiry, he agreed with his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke) that the only effectual remedy was rather a moral than a legal one, and must arise from a sense on the part of employers of their duties towards their workmen. He had frequently had occasion to consider the Truck Acts, and it certainly appeared to him to have been framed with remarkable skill. Indeed, he could hardly conceive how, if cases were brought before the magistrates, the Acts could be successfully evaded by methods like those described by his hon. Friend. The systems of payment which his hon. Friend mentioned were perfectly familiar to those who had inquired into the subject during the last 20 years. Nearly 20 years had elapsed since Mr. Tremenheere and Mr. Hill Burton inquired into the operation of the truck system in England and Scotland, and their description of its evils were as graphic as any which had been given in the present debate. The difficulty of finding a remedy was caused not so much by the defects of the present law as by the absence of combination and energy on the part of the working men themselves in applying it. As an illustration of this he would mention a case which occurred in a part of Wales where the truck system once flourished, and he might, in passing, remark that the truck system was gradually disappearing in Wales, instead of increasing, as had been asserted in the course of the present debate. Forty summonses were taken out against an ironmaster for carrying on the truck system, and it was proved that money was paid to the men on condition of its being taken to a certain store to be spent. There was no visible connection between the iron-

master and the keeper of the store; but nevertheless the magistrates were satisfied that the defence set up was merely a colourable one, and they accordingly convicted the ironmaster. The remaining 39 prosecutions were dropped. In a short time the system flourished with as much vigour as ever, and yet, strange to say, no fresh attempt was made to enforce the Acts. He believed, however, that other convictions might have been made if prosecutions had been instituted. On the occasion to which he had just referred the decision of the magistrates was questioned, and an action brought by the employer for the price of the goods supplied to the workmen; but the County Court Judge who tried the case, held that the goods had been supplied in defiance of the Truck Acts, and that the employer was not entitled to recover. He was really at a loss to understand why the working people had been so deficient in energy and combination. If they had displayed half the vigour and determination to put down this system as they had done with regard to the number of bricks to be carried and the stone to be cut in a quarry, and in promoting other favourite schemes of theirs, the evil could not have existed up to the present time. His hon. Friend had asserted that the evil was very widespread, and that it was increasing both in intensity and in the area it occupied. He might remark, however, that the statements made this evening were precisely similar to those which led to the inquiry some 20 years ago. It was then asserted as now, that almost the whole of the wages of the men passed through the stores, and that the real remedy for the evil was to insist on short payments.

MR. MUNDELLA remarked that he did not say the evil was increasing in England. He only said it was increasing in Scotland.

MR. BRUCE said, it certainly was not increasing in England or in Wales. The present statements being precisely similar to those made 20 years ago, he wished to draw the attention of the House to some of the results of Mr. Tremenheere's inquiry. That gentleman found that in a district where the truck system most extensively prevailed, out of £152,000 due for wages, only £26,000 went through the stores; and, with regard to another district, he ascertained that, out of £250,000 paid in wages,



only £30,000 passed through the stores. He had read the statement made by the Commissioners in *The Glasgow Daily Mail* on the subject of the system in Scotland, and he should be very glad to furnish means of testing the accuracy of those statements. At the same time, he thought the experience of former times ought to induce hon. Members to suspend their judgment until it was clearly proved that the evil was really as great as had been described. The Committee of 1854 took into consideration the Bill which had been introduced by his hon. Friend the Member for Walsall (Mr. C. Forster), who devised two methods for improving the existing legislation, neither of which were adopted. His hon. Friend first of all proposed that no shop should ever be opened on the premises of an employer of labour; but that was deemed too stringent a provision. The other remedy proposed was that the mere fact of an employer having sold goods to a labourer should be regarded as an offence against the law, without any inquiry being made as to whether the goods were received in lieu of wages or not. This was also thought too severe. The only remedy which had not yet been tried, and which, in his judgment, might to a certain extent prove efficacious, was to increase the penalties for breaking the law. He freely admitted that an evil existed, and that a remedy ought, if possible, to be applied. Her Majesty's Government were quite willing to enable his hon. Friend to attain the object he had in view; and they would, therefore, not object to adopt his Resolution, with some slight alteration. He hoped that, instead of asking for the appointment of a Royal Commission, his hon. Friend would withdraw his Resolution on the understanding that the Government would carry on the inquiry in the manner most calculated to produce the desired result; or, if he would move an Address to Her Majesty to cause the inquiry to be so carried on as to produce such a result, the Government would offer no opposition to the Motion. In conclusion, he might remark that Her Majesty's Government were most anxious to put a stop to this truck system, which was so pernicious to the working classes.

MR. C. DALRYMPLE said, he could not help fearing, from what they had just heard from the right hon. Gentle-

man, that, as far as the Government was concerned, nothing would be done in the matter during the present Session or the approaching Recess. The right hon. Gentleman the Secretary of State for the Home Department was evidently impressed by what the hon. Baronet the Member for Lanarkshire (Sir Edward Colebrooke) had said, who undoubtedly spoke with a weight which commanded the attention of the House. It must be remembered, however, that the chief evils complained of were to be found in the county which the hon. Gentleman represented, and he naturally would desire to give the most favourable account of them. The *couleur de rose* view of the question taken by the hon. Baronet would not, however, satisfy him (Mr. C. Dalrymple). It was not in Scotland that these evils exclusively existed. During the Easter Recess, in company with an hon. Friend opposite, he had had the opportunity of judging of the so-called evasions of the Truck Acts in what was called the Black Country, and he could testify to the fact that they were systematically carried on there. After quoting from the Report of the Commissioners of the *North British Daily Mail*, it might be said—How could the people object to such a system when they did not themselves complain of it? Now he was informed upon good authority that there was a good deal of terrorism existing in reference to this subject in the districts where the system was practised, and that consequently the working men had not really the power of appealing against it. There was no doubt that the system did not work to the advantage of the workmen, because the owners of those shops obtained enormous profits, and gave the people very inferior articles. Those who had preceded him had dwelt so fully upon the mischievous effects of the truck system, that it was scarcely necessary to enlarge upon the aggravated evil of having liquor stores close to the places of labour, where gin and whiskey were sold to the men, who were obliged to drink in order to get their money's worth. He did not exaggerate—he could be corrected if he did—when he said that matters were so arranged that in order to get the value of their money the men were forced to drink at the store, else they would never even handle the money which had been earned by the sweat of their brows. Long pay-



ments of wages had much to answer for in this matter, because they necessarily occasioned the credit system with all its consequences. In the Black Country the system of weekly payments was practised, but he thought that daily payments, such as had been tried in some of the best of the Scotch ironworks, the Messrs. Baird's especially, might be adopted with the most beneficial results. Although he was afraid the Government would not take any action in the matter in the present Session, he hoped that the debate which had taken place would lead, in no long time, to the complete disclosure and to the ultimate removal of the evils of the truck system.

MR. J. G. C. HAMILTON trusted that the inference drawn by the hon. Member who had just sat down from the statement of the Secretary of State was not a correct one, and that the Government would move in this matter without much delay. It would, in his opinion, be a great benefit to the country if this stigma were removed from the character of the employers who were charged with practising this disgraceful system. Although he lived in a district in which this evil existed, and was an employer of labour, he had heard very little about the truck system until about three or four years ago.

MR. LIDDELL said, he had never heard a case of the evasion of the Truck Acts in the district which he represented; but if there were evasions in other parts of the country, he should like to see an inquiry instituted. There was nothing more iniquitous in practice than the systematic evasion of these Acts. He thought that the evasions of the Truck Acts in Scotland were more of an indirect than of a direct character, but opportunities ought to be given for adducing evidence, if any could be brought forward. The object of any inquiry ought to be to furnish ground for legislation; but in the absence of that evidence, he hoped the House would not hastily seek to apply a remedy.

MR. WHALLEY remarked, that whatever was done, he hoped the Home Secretary would not employ Commissioners to go about the country, who would be likely to employ themselves in collecting evidence to support a foregone conclusion. As a rule, there was no injury whatever in the truck system that the workmen were not able to rectify for

themselves. It was not the workmen who objected to these practices, it was simply the family of small shopkeepers, who, with a design to further their own interest, sought to excite a feeling of dissatisfaction between the masters and the workmen. Where this system prevailed the workmen found benefit in other ways. He trusted that the Home Secretary would not allow himself to be influenced by arguments which applied only to one side of the question.

SIR DAVID WEDDERBURN said, that much disappointment was felt in Scotland at the fact that, after the promise made by the Government on a former occasion, no proceedings had been taken by the Lord Advocate and the Government with the view of putting an end to a system so generally and so justly condemned. He believed that a strict enforcement of the existing law would go far to prevent an evasion of the Truck Acts. In the part of the country which he had the honour to represent there was no truck, and a daily advance of wages without poundage was the general rule. He hoped the Government would accede to the proposal of the hon. Member for Sheffield (Mr. Mundella) and have a rigid inquiry instituted.

MR. MUNDELLA, in reply, said he accepted the offer of his right hon. Friend the Home Secretary, on the understanding that the inquiry would be conducted in such a manner as would make it effectual. His desire was that the facts should be fully and fairly brought out. His own impression was that it would be impossible by moral remedies to meet the difficulty. He was surprised to hear the Home Secretary say that if the men would combine effectually they could get rid of the truck system, and it was strange that men should be advised to enter into combinations and to adopt all the requirements of strikes in order to enforce the law.

MR. BRUCE begged his hon. Friend's pardon. He had said nothing about combining to strike. What he had referred to was combination to prosecute.

MR. MUNDELLA remarked that he had seen this tried again and again, and the result was that by spending £15 or £20 they might succeed in inflicting a £5 penalty; but so long as the gains were so large and the risk so small, all that the workmen could do would not be sufficient to enforce the observance of

the law. What he desired was such an inquiry as would show the collusion which existed between the storekeeper and the employer, and he should be very glad if there were power to examine upon oath and to call for books and papers, for the parties, since exposure had taken place, were buying and selling in other names.

Motion, by leave, *withdrawn*.

#### PUBLIC SERVICE—(COMPETITION).

##### MOTION FOR PAPERS.

MR. SINCLAIR AYTOUN, in rising to move for Copies of any Treasury Minute that may have been passed on the subject of first appointments to the subordinate offices in the Public Service by unrestricted competition; and, of any Correspondence that may have taken place thereon between the Treasury and the Heads of the other Departments, said, that he was informed that the Government did not intend to assent to the Motion, and, therefore, he hoped that he might be allowed to make a short explanation of the reasons for asking for these Papers. Very early in the Session the hon. Member for Brighton (Mr. Fawcett) moved a Resolution in favour of unrestricted competition, but withdrew it upon an assurance from the head of the Government that the subject was under consideration, and that it was hoped that soon a plan for unrestricted competition would be adopted. In February the Home Secretary, when asked for the Papers, had said that he would give the House the best information when the correspondence was in a more advanced state. On the 4th of June an Order in Council was issued, which partially established the system of unrestricted competition for appointments in the public service. It might be said, therefore, that it was now too late to ask for a correspondence on the subject. He did not think so; because the House had a right to be informed of the proceedings of the different Departments of the Government in relation to a matter of this kind. The change which had been adopted by the Government in that matter was more nominal than real. On the 4th of June an Order in Council was passed, by which situations in the public service after the 31st of August next were to be given by unrestricted competition with certain exceptions. Schedule

A of the Order in Council contained all the offices which were to be open to unrestricted competition, and Schedule B contained all those excepted from its operation. The 7th section of the Order in Council was to this effect—

“In case the chief of a department to which a situation belongs and the Lords of the Treasury shall consider that the qualifications in respect of knowledge and ability deemed requisite for such situation are wholly or in part professional, or otherwise peculiar, and not ordinarily to be acquired in the Civil Service, and the said chief of the department shall propose to appoint thereto a person who has acquired such qualifications in other pursuits, or in case the said chief of the department and the Lords of the Treasury shall consider that, either for the purpose of facilitating transfers from the Redundant List, or for other reasons, it would be for the public interest that examination should be wholly or partially dispensed with, the Civil Service Commissioners may dispense with examination, wholly or partially, and may grant their certificate of qualification upon evidence satisfactory to them that the said person possesses the requisite knowledge and ability, and is duly qualified in respect of age, health, and character.”

That section gave such large powers to the heads of Departments and the Lords of the Treasury that in conjunction they could appoint anyone to an office in Schedule A without any examination whatever. Nor was that all; for by section 8 of the same Order in Council power was reserved to the chiefs of Departments, with the concurrence of the Lords of the Treasury, to add situations to or withdraw situations from either of the Schedules A and B, so that they might undo all that had been done by the Order in Council. The hon. Member for Brighton had dwelt upon the evil effects of giving situations in the public service upon the recommendation of Members of that House; but another species of patronage of a not less prejudicial character would still be left in full force—namely, the appointments which might be made under the 7th section of the Order in Council that he had quoted, and which the Government might confer on their friends. There were two kinds of strength possessed by Governments. The first was that which they derived from possessing the confidence of the country, and which enabled them to carry out great measures that were understood and resolved upon by the country. The other was that which they had heretofore derived from official patronage—a very mischievous source of support, as he conceived, and one which



he desired to see rapidly diminished, and ultimately extinguished. When the House was told not many days since that its Address, if carried, was not worth more than the paper it was written upon, it would do well to inquire whether the power of the Government had not increased, was not increasing, and ought not to be diminished. The hon. Member concluded by moving his Motion.

Motion made, and Question proposed,

"That there be laid before this House, Copies of any Treasury Minute that may have been passed on the subject of first appointments to the subordinate offices in the Public Service by unrestricted competition :

"And, of any Correspondence that may have taken place thereon between the Treasury and the Heads of the other Departments."—(*Mr. Sinclair Aytoun.*)

MR. STANSFELD regretted to find that his hon. Friend was of opinion that the Order in Council on the subject of open competition was not worth the paper on which it was written. He doubted very much whether the House would agree with his hon. Friend in that opinion. As far as he could judge, he believed that the House, on the contrary, had shown an appreciation of that Order in Council and of the motives which influenced the Government in putting it before the public. The views of the Government were stated to the House by his right hon. Friend at the head of the Government, and the House was able to judge of those views and also of the sincerity of the Government in endeavouring to carry them out; and he ventured to think that Order in Council showed very considerable and reliable evidence of the sincere opinions of the Government in favour of the principle of open competition, and their desire to apply it as far as practicable. His right hon. Friend, in answering a Question put some time ago on the subject, stated that the correspondence which had passed between the Treasury and the other public Departments had been of a confidential nature; and the House would understand that if it had not been of a confidential nature, its very object probably would have failed. The Government approved the principle of open competition; but the method of bringing about its acceptance and adoption which they pursued was to invite a confidential expression of the opinions of the various heads of Departments, and under those

circumstances it was impossible for them to produce the correspondence, which had been invited in confidence. The result, however, of the correspondence was before the public in the shape of the Order in Council to which his hon. Friend had referred. He would not now occupy the time of the House in discussing the Order in Council, which, however, the Government would be ready to discuss whenever his hon. Friend called the attention of the House specifically to it. The present Motion asked for the production of the Treasury Minute; but there was no Treasury Minute to produce. There was a Treasury Circular addressed to the various heads of Departments, asking them to enter into confidential communication, as he had stated, with the Treasury as to the method in and the degree to which the principle of open competition could be applied.

MR. FAWCETT said, that having originally brought forward that question, he could not but feel extremely pleased that the Government had gone as far as they had done in the matter. He could only wish that their scheme had been somewhat more complete. It certainly seemed to him—and perhaps they would be able to judge better after they had had more experience—that too great a power had been reserved to the heads of Departments in regard to appointments in the Civil Service without examination. He must say that of the two he preferred the modern system of competition. What he objected to in the scheme was that officers in the Foreign and Home Departments were excepted from the Order in Council.

THE CHANCELLOR OF THE EXCHEQUER said, they had consulted every head of a Department on the subject, taken his opinion, and acted upon it. The heads of the Home Office and of the Foreign Office thought it would be better the system should not be extended to them. To that they saw no objection, because the great mass of the Civil Service were willing to come in. The matter was in the nature of an experiment, and they felt that if the proceeding were to succeed, it was better it should do so with the consent of all concerned than to force it violently on unwilling persons, who were responsible for the conduct of the Departments, merely because his right hon. Friend

*Mr. Sinclair Aytoun*



and himself happened to be entirely in favour of it. The thing would be very shortly tested, and then it would be seen whether it could be safely extended. The House would observe that the 7th section only extended the system to first appointments. They did not maintain that promotion after the first appointments, or to what were called Staff appointments should be dependent on competition. He was certain that nothing was so likely to injure the plan as to attempt to force matters. They could not decide in every case by competition who were best fitted for a particular service. When they came to select persons of particular qualification—lawyers, for example—the best way to do so would not be by competition. A much better way would be to look about for persons who had proved themselves to be able lawyers and to take them. Competition, after all afforded but an erring standard. It was only the best expedient among many. If heads of Departments were free from all possible influences, and could give their minds wholly to see who were the fittest persons, they might do better than by examination; but being frail they might be mistaken, and, therefore, it was thought better to introduce the competitive system. But that did not apply to Staff appointments. As to the 8th section, much the same might be said. It was quite possible mistakes might be made in the first instance, and that officers might be put under competition which it would be better to withdraw. Of course, whether the thing would be thought to work well or not would depend not upon the heads of Departments or the Treasury, but upon the public opinion of the country, and if public opinion ratified the experiment it would be perfectly impossible for anyone to enforce this section in such a way as to throw the system back. He hoped, therefore, the House would believe that the hon. Gentleman, he was sure most unwittingly, had exaggerated the matter when he said that these clauses were so great a dereliction from principle that they would entirely defeat the object in view.

MR. SINCLAIR AYTOUN wished to ask the right hon. Gentleman the Home Secretary why he was opposed to the principle of open competition? However, as the right hon. Gentleman was not in his place, he would put the ques-

tion another day. He must say that the answer of the Chancellor of the Exchequer had only confirmed him in his suspicions.

Motion, by leave, *withdrawn*.

#### TELEGRAPHIC COMMUNICATION (ENGLAND AND IRELAND).

##### RESOLUTION.

MR. PIM, in rising to call attention to the unsatisfactory state of the Telegraphic communication between England and Ireland, and especially between London and Dublin; and to move a Resolution, said, that great dissatisfaction on this subject prevailed in Ireland, and referred to meetings which had been held in Dublin to give expression to that feeling. Dublin was the only place in the United Kingdom, except London, which had an independent Stock Exchange, at which the public funds were registered and transferred; and it was of very great importance that there should be perfect telegraphic communication between the two places, so that the price of the funds in both might be identical. Formerly, the telegraphic communication between London and Dublin was almost instantaneous, and brokers in Dublin were in the habit of getting business transacted in London for their clients, which they could do by means of the telegraph, on the same day. But since the telegraphs had come into the hands of the Government there had been such delays that business of that kind could not be transacted with certainty, and the brokers lost their profits. The members of the Dublin Stock Exchange were much dissatisfied with this, and they had forwarded to him (Mr. Pim) a copy of a resolution adopted at a meeting of their body, in which they said they could no longer refrain from expressing their strong disapprobation of the utterly inefficient manner in which the telegraphic communication between England and Ireland had been carried on since the transfer of the telegraphs to the Government. Several cases of very unusual delay had been reported to him, as, for instance, a message sent from Dublin to Liverpool at 12 o'clock on the 20th of June, but which was not delivered till the morning of the 21st. It had long been the practice for the City of Dublin Steam Packet Company to send messages from Dublin to Holyhead,

stating the number of passengers who were crossing in the steam boats, in order that the requisite number of carriages might be prepared for them in the train at Holyhead. But since the telegraphic service had been in the hands of the Government, the superintendent of the Holyhead station said the messages were of no use, for they seldom arrived in less than six hours, whereas the boats accomplished the voyage in four. He had never known in Dublin so strong a feeling of disappointment, and annoyance as on this matter, and he had, therefore, thought it his duty to call the attention of the House to the subject. It was said in Dublin that all this was done on purpose to disgust the Irish people with the idea of Government management not only in the matter of the telegraphs, but still more with reference to the railways, the purchase of which had been so strongly pressed on the Government by many people in Ireland. There were only two telegraphic cables between Great Britain and Ireland, containing altogether 11 wires. Both these had lately been out of order, though not both at the same time. He understood that it was proposed to lay down another cable, containing seven wires, between Liverpool and Howth, so that there would then be 18; but he asked if that was enough, considering that the telegraph to America went from Ireland. This was a grievance that ought to be immediately redressed—it was a question deeply interesting, not only to the Irish people, but to the people of Great Britain, and the Government ought at once to take it in hand. The hon. Gentleman concluded by moving his Resolution.

MR. CRAWFORD, in seconding the Motion, said, he had received many representations from his constituents as to the present imperfect state of telegraphic communication, especially with Ireland, and assured the Postmaster General that there was a feeling on the part of the community that this communication was not what they had a right to expect. With every wish to make allowance for the difficulties of the Department, he hoped some improvement would soon be made in the service. The real reason for the bad service was probably that the Post Office was trying to carry on an extended service at too low rates, and that the rates should have been lowered

more gradually. In his own experience he sent a message to Liverpool at 11 in the forenoon, and he did not get an answer till half-past 3 in the afternoon, and on the same day he received at 3 a message from Bombay which had left at 4 on that afternoon. Of course, the difference in latitude made the difference in time; but it was monstrous that so long a time should be consumed between London and Liverpool. There were minor reasons why the delivery in London was not so satisfactory now as it formerly was. The boys in the service of the companies used to be sent out with messages one by one as they arrived, and each boy received 1*d.* for each message he delivered. In this way, the boys were interested in the prompt delivery of the messages, and they earned their pennies as quickly as possible and returned to the offices in the hope of earning others. But now not only was the system altered and the stimulating penny withheld, but the boys were kept at the offices until they could be sent out with several messages at a time. Again, each company had its own offices, and there were four in Mincing Lane; now the offices were consolidated, and sometimes there were so many people at one office waiting to give in messages that the crush was like that at the door of a theatre on a benefit night. These were two sources of dissatisfaction which might be remedied by a little more liberality of expenditure.

Motion made, and Question proposed,

“That it is of great importance to maintain uninterrupted Telegraphic Communication between Great Britain and Ireland; and, therefore, inasmuch as Submarine Telegraphic Wires are very liable to accident, and cannot be repaired as readily as those on land, it is necessary, in order to guard against interruption and delay, to lay down additional Submarine Cables sufficient to maintain the communication unimpaired under all circumstances which can reasonably be anticipated.”—(*Mr. Pim.*)

THE MARQUESS OF HARTINGTON admitted the importance of the subject, and said it was quite unnecessary for the hon. Member for Dublin (*Mr. Pim*) to tell him that it had created great excitement in that city. With respect to the meeting of the Chamber of Commerce of Dublin, the proceedings thereat were characteristic of the country, for care was taken to pass the general resolution which had been read before the meeting had

*Mr. Pim*



heard the explanations of the gentlemen deputed to represent the Department, and some of the speakers exhibited a very considerable turn for that which had been called on the other side of the House one of the principal ornaments of debate—namely, a considerable knowledge of invective. One of them spoke of the impudent Postmaster General humbugging them, and said they did not want his law, but justice; and the only foundation for these remarks was this—that when he was asked a question as to legal liability, he expressed an opinion which was not exactly in accordance with that of the hon. Member who put it, advising the hon. Member not to take his word for it but to consult a lawyer. He was willing to admit that since the transfer of the telegraphs to the Government there had been constant, though not daily delays, which were much to be regretted; and one of the causes of them was the enormous and unexpected increase in the number of messages. Of course, it was always expected that there would be a great increase; but it was not anticipated that it would be so sudden as it had been. To show the increase, he might state that in the six working days previous to the transfer 4,791 messages were sent from Ireland to England. In six working days of April, two months after the transfer, when it was known that one of the two cables was broken, the number of messages was 12,375, being an advance in the daily average from 798 to 2,062. It was obvious that such an enormous increase of work would have overtaxed the Department under any circumstances; but the communication between England and Ireland had been interfered with twice since the transfer by the breaking of the Wexford Cable, which threw all the work on the remaining cable. But this occurred five times under the companies, who, on one occasion, took six weeks to repair the cable, while the Government had always effected the repair in five or ten days. When these breakages occurred the Department exhibited conspicuously in the offices notices printed in large type, warning persons not to send any but the most urgent messages; but these notices had not the slightest effect, the senders stating that the difficulty was not their business, and that the Department must send the messages as it best could. Under these circumstances, it was not to be

wondered at that stoppages had occasionally occurred; but it was not true that these delays had been owing to the neglect of remonstrances made by Members of Parliament. On the contrary, the Department had done all in its power to remedy what was complained of. It had greatly improved the transmitting powers of the wires between London and Ireland by attaching improved instruments to them; it had also sent a large number of improved instruments to Ireland; and in all this there was no more delay than was inseparable from the manufacture of the instruments, the supply of which would be continued as long as it appeared to be necessary. With respect to the insufficiency of the cables, he had great pleasure in stating that tenders had been advertised for and received, and in a few days he should be in a position to ask the Treasury to sanction a contract for a new cable. It would have been of no use to have done this earlier, because the Department had had to provide for an enormous increase of work not only between England and Ireland, but throughout the whole United Kingdom, and it was not in possession of sufficient materials, stores, and skilled labour to do all that was wanted. It would have been of no use to lay down a cable of seven wires until additional land wires were laid down between the large towns, and the latter provision having now been made, a new cable could be turned to good account. An enormous amount of business had been thrown on the Department, and it would be admitted that it was impossible for it to undertake not only the ordinary business, but also extensions of the serious character which were suggested at the very first moment of the commencement of its duties. With regard to the memorial referred to by the hon. Member for the City of London, he frankly admitted that very great delay had constantly occurred in the transmission of messages between England and Ireland, but many of the representations on the subject were greatly exaggerated. In some instances, he believed, there had been a delay of three or four hours; but, on the whole, it had been found that in respect of messages sent before 12 o'clock the average delay was 45 minutes, and in respect of messages sent after that hour the average delay was 19 minutes. It should be remem-



bered that many of these messages were sent to most distant towns in Ireland, and had to be retransmitted more than once. So that those delays, though serious, could not be considered to justify the very strong language which had been used with regard to them. His hon. Friend appeared to think that the delay was owing to undue economy, with the view of making the telegraphic service pay. Though, of course, it was a great object of the Department to present a good balance-sheet, still that desire had not hitherto presented obstacles to the rapid transmission of messages. So far from discharging competent clerks, as was generally supposed to be the case, the Department had omitted no effort not only to keep every efficient man and woman in its employment, but also to attract to the service efficient clerks, who had previously left it, and in London and at various provincial stations, and at Dublin, where schools were established for instruction in telegraphy, was using the best means to increase the staff at its disposal. The staff which the Department found in the employment of the telegraphic companies consisted of 2,418 clerks, and upwards of 1,400 messengers; but at the present moment the Department employed 2,935 clerks and 2,280 messengers, and those numbers did not include a large number of postmasters in the country, who were competent to undertake the duty of transmitting telegraphic messages. It was, however, admitted that the staff was not sufficient, and every effort was being made to secure a number of *employés* equal to the wants of the service. In reference to the complaint respecting the diminution in the number of offices, he would observe that in one or two instances the Department had consolidated offices because it was found that under the old system, when one company opened an office in any street, another company felt it necessary to open a competing office in the same street; but by the offices being now more widely separated, a greater accommodation was afforded to the public. For some cause the transfer of the telegraphs to the Government had not been satisfactory to the mercantile community, though merchants and the Stock Exchange had very little to complain of, yet he believed the public at large had gained what the mercantile community had lost. The immense increase in the

number of messages showed that the service, if not all that could be desired, was a great accommodation and convenience to the public. But the Post Office would not be satisfied with quantity so long as there was a deficiency in quality; and no means would be left untried to obtain efficiency to the same degree as existed previously, or to a still greater degree. If the public would only extend patience to the Department, a very short time would elapse before they would no longer have any reason to complain.

Motion, by leave, *withdrawn*.

#### PARTY PROCESSIONS (IRELAND) BILL.

(*Mr. William Johnston, Viscount Crichton,*  
*Captain Archdall*)

[BILL 26.] COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [21st June], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate resumed.

MR. CHICHESTER FORTESCUE said, that on behalf of the Government he was not able to support the measure, and he should, therefore, move that the House go into Committee upon it on that day three months. It would be remembered that on the second reading of the Bill he gave a conditional assent on the part of the Government to that stage of it. But he took the greatest pains to make it understood that he was about to bring in a general Bill on the subject, proposing to deal with processions of all kinds in Ireland. Since then, owing to the pressure of business, considerable delay had occurred in proceeding with that Bill, and as time went on the critical anniversary in July approached, and it had been supposed that his Bill had some special reference to the anniversary in the present July, but that was not the case. He frankly admitted that the expectations he had formed that such a measure would meet with a large amount of assent on both sides of the House had turned out not to be well-founded. The Bill introduced certainly did not find favour with those who desired to repeal the present Act, and he could not say that it found much favour in any part of the House; but, although that became evident soon after

the introduction of the Bill, he yet felt bound to give the House ample opportunity of expressing its opinion upon it. He had assented conditionally to the second reading of the Bill now before the House; he had engaged to produce an alternative measure, and he had been most anxious to place it fully and fairly before the House, which he had done a few evenings ago. The result was, that many who had looked with considerable favour on a general law regulating processions so long as it was at a distance, saw it in a different light when it came near at hand; so that the proposal he made met no favour at their hands, and not only was it rejected by the Mover and Seconder of the present Bill, but it was treated very much in the same way by many other hon. Members opposite. That being the case, he felt he had done his duty. It was not a measure which it would be desirable to press forward without a very considerable amount of support from Irish Members, especially at that period of the Session. The Government, therefore, had decided to withdraw their measure. Having said this, he felt perfectly free to deal on its merits with the Bill now before the House, which sought to repeal the only statute dealing with party processions in Ireland. The Government could not consent to the repeal of that Act. They were not prepared, in the present state of Ireland, to leave the subject entirely unregulated and untouched by statute law; they were not prepared in the present condition of Ireland to do that which would appear to be a proclamation on their part that these party processions were harmless and inoffensive, and without danger to the peace and prosperity of Ireland. They were not inclined to deprive the Executive of those powers which the present Act gave, and which had always been and would continue to be used with the utmost toleration and forbearance by the Government of Ireland. At the same time, while exercising the powers given by the present law in that spirit, and prepared to use them if, unfortunately, it should be necessary on any occasion in Ireland, he must say that the Government could not bring themselves to look on a Party Processions Act as a permanent part of the legislation of the country. He earnestly trusted that would not be the case. There were, no doubt,

indications in the North of Ireland that pointed both ways. He was not prepared to endorse all those roseate descriptions of the present harmony in the North of Ireland which they sometimes heard from the hon. Member for Belfast (Mr. W. Johnston). He knew too well there was much in Ireland at this moment very different from those descriptions, and, although according to the intelligence he had received, this celebrated anniversary had so far passed off tranquilly in Ulster, yet, for all that, the strange—he was going to say the scandalous—spectacle still continued, that Government at this time of day should find it necessary summer after summer to send down a large force of military and police to a flourishing, happy, and prosperous part of the country for the purpose of keeping the peace between the two religious parties there. In some parts of Ulster good influences might be used to prevent any danger on these occasions; but, as he knew, in other parts certainly a different feeling prevailed. There was reason, however, to hope that the spirit of party and religious opposition was dying away, and they need not look forward to this special statute forming a permanent part of the legislation of the country. He would venture to express his hope that all those possessing influence in Ulster would so use it year by year as to make party processions equally unknown and unnecessary. He moved that the House do go into Committee on this Bill that day three months.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Chichester Fortescue*,)—instead thereof.

VISCOUNT CRICHTON said, this question had been so well discussed, both on the second reading and on a more recent occasion, that it was needless to spend many words upon it now. Yet, after the expression of opinion given by the House against exceptional legislation, he thought the Government would have acceded to their just request and have allowed them to go into Committee on the Bill. He would feel himself bound to oppose the Motion.

COLONEL STUART KNOX contrasted the statement made by the Chief Secretary for Ireland last year and his utterances that night. Then he said he had no particular liking for the Act which he would not now repeal, and which he described last year as introducing into the hands of a large class a sense of inequality and unfairness. It was understood at that time that a full and impartial inquiry would take place, and a Royal Commission was promised. But nothing had been done, and they were told that Government was determined not to repeal an Act which was a disgrace to the statute book, and which kept the North of Ireland in a state of slavery.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 46; Noes 121: Majority 75.

Words added.

Main Question, as amended, put, and agreed to.

Bill put off for three months.

#### IRISH LAND BILL.

LORDS AMENDMENTS further considered.

Subsequent Amendments read a second time; several agreed to; and several amended, and agreed to.

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed:—Mr. GLADSTONE, Mr. CHICHESTER FORTESCUE, Mr. Secretary BRUCE, Mr. Secretary CARDWELL, Mr. SOLICITOR GENERAL for IRELAND, Mr. MONSELL, Mr. KNATCHBULL-HUGESSEN, The LORD ADVOCATE, Mr. AYRTON, The JUDGE ADVOCATE, and Mr. GLYN:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to Lords Amendments reported, and agreed to:—To be communicated to The Lords.

#### NATIONAL DEBT BILL.

On Motion of Mr. STANSFELD, Bill for consolidating, with amendments, certain Enactments relating to the National Debt, ordered to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 213.]

#### FORGERY BILL.

On Motion of Mr. STANSFELD, Bill to further amend the Law relating to indictable offences by Forgery, ordered to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 214.]

Viscount Crichton

#### STATUTE LAW REVISION BILL.

On Motion of Mr. STANSFELD, Bill for further promoting the Revision of the Statute Law, by repealing certain Enactments that have ceased to be in force or are consolidated by certain Acts of the present Session, ordered to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 215.]

#### FACTORIES AND WORKSHOPS BILL.

Select Committee nominated as follows:—Mr. AYRTON, Lord JOHN MANNERS, Mr. EDMUND POTTER, Mr. FREDERICK STANLEY, Mr. RICHARD SHAW, Mr. MELLOR, Mr. GRAHAM, Mr. E. W. VERNER, Sir DAVID SALOMONS, Mr. JOSHUA FIELDEN, Lord FREDERICK CAVENDISH, Mr. ORR EWING, Mr. MUNDELLA, and Mr. KAY-SHUTTLEWORTH:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at Two o'clock.

#### HOUSE OF COMMONS,

Wednesday, 13th July, 1870.

MINUTES.]—NEW WRIT ISSUED—For Rochester, v. John Alexander Kinglake, esquire, deceased.

WAYS AND MEANS—considered in Committee—Consolidated Fund (£1,300,000).

PUBLIC BILLS—Ordered—First Reading—Norfolk Boundary\* [217].

First Reading—Medical Act (1858) Amendment\* [216].

Second Reading—Permissive Prohibitory Liquor [112], put off; Education of the Blind, &c. [47], put off; Churchwardens Liability\* [195]; Pier and Harbour Order Confirmation (No. 3)\* [210].

Select Committee—Factories and Workshops\* [150], Mr. Holt added.

Committee—Burials [123]—R.F.

Considered as amended—Juries\* [182]; Absconding Debtors\* [172].

Withdrawn—Sites for Places of Worship [10].

The House met at Two of the clock.

#### SITES FOR PLACES OF WORSHIP BILL.—[BILL 10.]—COMMITTEE.

(Mr. Osborne Morgan, Mr. Bowyer, Mr. Hinde Palmer, Mr. Henry Richard.)

Order for Committee read.

MR. OSBORNE MORGAN, in moving that the Order for going into Committee on the Bill be read and discharged, said, he thought it advisable to take that course, because clauses had been introduced into the Education Bill which superseded the necessity for half of his measure, and it would be requisite so to remodel the remaining half as to make it to all intents and purposes a new Bill.



Looking at the advanced period of the Session, he did not suppose he would have much chance of passing such a Bill, and he should, therefore, defer dealing further with the subject until next Session.

*Motion agreed to.*

*Order discharged: Bill withdrawn.*

PERMISSIVE PROHIBITORY LIQUOR BILL—[BILL 112].—SECOND READING.

(*Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hammer, Mr. Miller, Mr. Dalway, Mr. Macarthy Downing.*)

*Order for Second Reading read.*

SIR WILFRID LAWSON, in rising to move that the Bill be now read a second time, said, he regretted to be obliged to bring this question before the House at so late a period of the Session. The House would remember that at the beginning of the Session they were in expectation of a measure being brought in by the Government for the purpose of dealing with the licensing system. An intimation to that effect was contained in the Speech from the Throne. He had thought it would not be respectful to the Government if he introduced his project for dealing with intemperance when they were in daily expectation of the measure of the Government being brought forward. No such Bill, however, had been introduced. He did not intend to reproach the Secretary of State for the Home Department on that account, because they knew that the promised Bill had been postponed from the force of circumstances. Still, he did not think that was a wise or a good policy. However important the measures the House had had before it, there was none so important as a measure which would tend to reduce drunkenness in this country. They who felt strongly on this subject, and believed that they had in view a substantial remedy for the existing evil, could not take the responsibility of sitting still when they saw what was going on around them. He had therefore brought forward the present Bill. This Bill had only been twice before the House. The first time was in 1864, when he was defeated by a majority of 7 to 1. A new Parliament intervened, in which he had not a seat; but last year, on the assembling of another Parliament under a new state of things, he again introduced the measure,

and the result was that he was defeated by only 2 to 1. This showed that the question had made considerable progress among the masses. One reason why he was defeated on the last occasion by such a majority was that hon. Gentlemen naturally looked forward to the measure promised by his right hon. Friend (Mr. Bruce). The same argument might now be used as was used on a former occasion with respect to the passing of a very useful measure; but he hoped that the right hon. Gentleman would not be led to fight against the Bill to-day, because he might be as thoroughly in earnest as he was last year. It was quite possible that circumstances might again prevent him from bringing forward his measure next year. He hoped, therefore, that whatever might be in the minds of the Government with respect to the mode of dealing with the licensing question, they would not permit it to militate against a full discussion of the merits of the Bill which was before the House. It might be urged, as an argument against proceeding with this Bill, that a great measure of national education was being passed, and that education was the real cure for drunkenness. His right hon. Friend the Secretary of State for the Home Department seemed to place much reliance on that cure. He thought that was his right hon. Friend's strong impression; because although he admitted that restrictive measures were, to some extent, necessary, yet he based his main hope of eradicating drunkenness and improving the general morals of the people on a comprehensive system of national education. He (Sir Wilfrid Lawson) was, however, of opinion that some such legislation as he proposed was necessary to effect the object. The New England States were described as being the best educated parts of the world; but he found, nevertheless, that they were there unable to contend with the evils introduced by the liquor traffic, and that it was there that all the attacks on it had been initiated. Now, what, he would ask, was the teaching which was to be given under the present measure of education with the view of putting an end to drunkenness? He was quite sure that nobody proposed that the children should be taught to become teetotallers. Those who were addicted to drunkenness knew perfectly well that they were doing wrong, and

that the vice tended to produce their ruin and that of their families; but they were the victims of a habit into which they were led by an appetite they could not control, and to teach them the exercise of self-control was the only education which would be effectual as a remedy. He doubted very much whether mere book-learning would do much in that direction. It was not only the most ignorant persons who were the victims of this vice. In the debate of last year the hon. Member for Berkshire (Mr. Walter), after showing that the beer-shops were not so blameworthy as some supposed, said that—

“If he were called upon to name those within his knowledge who had ruined their prospects in life, who had lost good situations, and who had fallen from comparative ease and competence to a state of degradation, they would not be the men belonging to the labouring class following agricultural or mechanical pursuits, but they would be the men of a superior class and of good education, men who had enjoyed comfortable homes and good salaries, and who, in spite of all, had fallen victims to that abominable and frightful vice.”

Again, the Rev. B. de Renzi, chaplain to Leeds Borough Gaol, stated that out of 1,041 prisoners committed in 1852-3, only 138 had never been to school. The Rev. Joseph Kingsmill, in his official Report of Pentonville Penitentiary for 1849, said—

“Of 1,000 convicts 957 had been scholars in the different day schools high and low in the country, and nearly half that number on an average five years.”

Returns sent in in 1849 from the Governors of 100 prisons showed that out of 5,996 prisoners then in gaol 2,900 had been Sunday scholars. At a meeting of ticket-of-leave men, called by H. Mayhew, March 12, 1856, to which 50 responded, it appeared that more than one-half had been educated either at day schools or Sunday schools. In Parkhurst Prison, out of 937 boys confined in 1844, 734 had been at day schools, on an average, nearly four years. Mr. Smith, Governor of Edinburgh Gaol, said, in 1845—“The number of commitments of those who can read well is much greater than the number of those who cannot read at all.” Therefore he (Sir Wilfrid Lawson) did not think that any specific for the vice of drunkenness was to be found in any system of national education. They were told that the upper classes had greatly improved within the last generation; but surely the

*Sir Wilfrid Lawson*

House would not attribute that improvement to the progress among them of elementary education. It was not reading, writing, and arithmetic that prevented the country squire from drinking his three bottles now and falling under the table as in former times; it was rather the influences by which he was surrounded. It should be borne in mind, too, that education had been a long time in operation, but that it had failed to go to the root of the question. The teaching and preaching did not go to the root of the matter, and in the expressive words of the chaplain of the Preston House of Correction—

“The improvement which takes place in the country, with respect to drunkenness, is so slow that it can be measured only at very long intervals of time.”

He had heard Home Secretaries on former occasions quote judicial statistics to show that drunkenness was decreasing; but anyone who referred to the judicial statistics would find in them a convincing proof that the evil of drunkenness in this country was not diminishing, for while in 1866-7 there were 100,375 drunk and disorderly persons proceeded against, in 1867-8 they had increased to 111,465, and last year there was a further increase of over 11,500. That did not look as if things were improving very much. But still more remarkable was it, that even since the Licensing Bill of the hon. Baronet the Member for North Essex (Sir Selwyn-Ibbetson) was passed, in all the large towns—the Returns state that in Manchester, Salford, Liverpool, Leeds, Bradford, and Birmingham—there had been an increase in the cases of drunk and disorderly persons charged before the magistrates. He could not account for it, but still it was the fact. In Liverpool the increase in all kinds of offences connected with drink, but exclusive of drinksellers' offences, was not less than 1,726, the Returns for the four months ending January 31st, 1869, being 5,463; while those returned in the four months ending January 31st, 1870, were not less than 7,189. In Manchester he found from the Report of Captain Palin, the head constable, that the number of persons—

“Proceeded against during the year were nearly three times the number they were 10 years ago. In these offences there was a considerable increase; drunkenness, however, showing most prominently. The persons arrested for that offence in 1860 gave



23 per cent of the total persons proceeded against, which had increased to 40 per cent during the past year. There were many other offences arising immediately out of drunkenness which could not be classed under this head. Some idea of that might be gathered from the fact that 65·1 per cent of the persons arrested were drunk when taken into custody. The increased demand upon the time of the police which that offence occasioned materially interrupted that constant attention to their duties which was so necessary for the effectual protection of property and detection of criminals."

He dared say some attempt would be made to controvert these statistics, but he believed that they would be found to be quite correct. Now came the question, what was to be done to remove so great an evil? It was idle, he contended, to expect that it would diminish unless some very decisive step was taken by the Legislature. They could not expect more from religious and moral influences than they had already gained. It appeared to him that if they sat still and did nothing, the same causes would produce exactly the same effect. They might as well sit down on a river bank, and expect that the stream would flow away. The principal cause of drunkenness was the temptation which was put in the way of the people by the present system of licensing public-houses in every part of the country. It was said in a Report on the licensing system from the Board of Inland Revenue, drawn up by Mr. Thring, that the system was introduced partly for police and partly for revenue purposes. If that were so he could only say that in the former direction there had been a total failure, while in the latter it had proved a brilliant success. In a financial point of view they could not have had anything more substantial, as they had raised a sum of £24,000,000 from the various sources of revenue derived from the manufacture and sale of drink of all kinds; but its failure as a police measure was proved by the attempts that were constantly made to amend it. Probably from first to last there had been 300 or 400 Acts of Parliament dealing with this matter, trying to make beneficial what had hitherto proved so injurious. In 1830, they had the Beer Act. They were told that good wholesome beer would carry everything before it. Well, they had tried it for nearly 40 years, and found it to be a hopeless failure. Then, again, in 1860, the Prime Minister introduced the Wine Act, and he stated in the

House that he introduced it as a temperance measure. But if it had done no harm, which might be doubted, it had certainly done no good, as was perfectly apparent from the facts which he had laid before the House. It was the fashion now to attribute all the evils of the system to adulteration. Well, perhaps the hon. Member for Derby (Mr. Bass), whom he was glad to see in his place, would have something to say on that subject. He was a great friend of the licensed victuallers, and when presiding at the festival of their asylum last May, he said that he was—

"One of the fifth generation of a set of tradesman who, for more than 100 years, had been cultivating with all their hearts the good opinion of the licensed victuallers of the country. Some 15,000 of them were in constant communication with him." They were "the most ancient and most useful body of tradesmen that ever existed in the world, engaged in the production and the distribution of the various beverages, without which, he believed, mankind would become no better than a set of monks."

That was, according to the hon. Member, the effect of the beer barrel. The hon. Member strenuously denied that there was any adulteration; but it might be that the hon. Member was mistaken. He (Sir Wilfrid Lawson) did not care which way it was; either it was good sound beer which did harm, or else the licensing system failed in obtaining satisfactory dealers. On either theory, then, the case must go against the hon. Member. The other new suggestion was, that they should have some fresh licensing body. He had no objection to that, and he was sure that it would be regarded as a boon by the magistrates, who had to discharge, under great difficulties, a most delicate and onerous duty. He was not certain that any other body of men could have discharged it with more satisfaction to the public at large. An elective body had been tried. They had it in Scotland, while in parts of Ireland they had licences granted by a recorder, who was free from local influences. He did not attack the exercise of this power by the magistrates, and was now proposing no new body at all. He wished it to be understood that this Bill was in no shape or way a licensing Bill. It was an anti-licensing Bill. He did not seek to interfere with the power of the magistrates with respect to inquiry into a man's character before they granted him a licence; but they ought, he contended, to be



assisted in the performance of that most difficult part of their duties—namely, the finding out of the wants of the inhabitants of a particular neighbourhood so far as the establishment in it of a public-house was concerned. This Bill would not shut up any public-house in the country, but would leave it entirely to enlightened public opinion to act where sufficiently strong to do so. In a number of cases it would have no effect at all; but in others it might be displeasing to the inhabitants of a district that a public-house should be opened in it, and the Bill would give them the power of giving effect to their views, while the magistrates would be saved from a disagreeable duty. The principle of the Bill had met with the approbation of Convocation, and last year 800,000 people had petitioned in favour of it, while there were only four Petitions, all of which came from Licensed Victuallers' Associations, against it. It was this power which the committee of Convocation declared to have been exercised in many cases with the most beneficial effect; and in the report which they issued on the subject, they strongly recommended that the people should be intrusted generally with such a power. Then, again, they had had a number of Petitions on the same subject this year, though it was quite true that they had not so many as they had last year. The reason of that was obvious. People could not be always petitioning upon any subject. They felt that they had expressed their opinion once, and that opinion was equally strong now as it was last year. The right hon. Member for Birmingham, whose absence they all deplored, in one of the last speeches he had delivered in that House, had also endorsed the principle of the Bill. It was true, the right hon. Gentleman went on to say, the machinery was as bad as it could possibly be. Well, he (Sir Wilfrid Lawson) was now talking of the principle, which was a right and just one; the machinery might be altered in Committee. He was not prejudiced in favour of the machinery, and would willingly consent to any alteration which might tend to make it more effective. He took the best that he could find, and adopted the machinery of the Bill from an excellent Act which had worked extremely well. But all he contended for was the principle which was supported by the right hon. Gentle-

man the Member for Birmingham (Mr. Bright) in his speech. He must, however allude to the objection which that right hon. Gentleman took to the measure, because he thought it right to vote against the Bill simply on account of the machinery. Now, on the second reading of a Bill, it was perfectly clear that it was the principle alone and not the machinery, which was proposed for the purpose of carrying that principle into effect, which ought to guide them in their vote. Some hon. Members did not like the idea of a permissive Bill. He begged to say that the present law was permissive; it gave the magistrates a permissive power over these licences. He proposed to put the power in the hands of the ratepayers. No doubt this would be a local Maine Liquor Law. He did not shrink from the word, and contended that wherever the Maine Law had been enforced, it had been an effectual cure for drunkenness. [Mr. BASS: But you cannot enforce it.] Well, let the experiment be tried. [Mr. BASS: It has been tried, and has failed.] The prohibition of the liquor traffic had never failed to do good when carried out in accordance with the will of the people. While on the permissive part of the question, he might ask what did the Vice President of the Committee of Council say with respect to permissive legislation? While acknowledging that it was not to be advocated as final legislation, he said that he could point to cases to show that it had not seldom succeeded. Well, all they wanted was that the experiment should be tried. If the experiment failed, and if, when public-houses were put down, crime and misery continued as rife as ever, it would be time to revert to the old system; but if, on the contrary, their removal was accompanied by a general rise in the moral, social, and material condition of the people, then it would follow that this, like all other good movements, would become progressive, and, in the end, the removal of public-houses would become general. And why was it objected to because it was permissive? The permissive principle had succeeded in the Museums Act. The application of the Health of Towns Act was permissive; and if you applied this principle to the effort to make people healthy, why not also to the endeavour to make them sober? Again, the establishment of

Free Libraries was a permissive measure; few places had availed themselves of the Act, but great good had resulted therefrom, and nobody was hurt by it. Another permissive measure, the Public-houses Closing Act, was brought in by the right hon. Baronet the Member for Morpeth (Sir George Grey) in 1864, and Town Councils were thereby empowered to adopt its provisions at pleasure, and close public-houses within certain specified hours, and empowering the police to visit them in the middle of the night. That Act was adopted in many places, and, so far as he could see, no person was aggrieved by it, or suffered from its operation. He must, therefore, confess that he did not see any force in the cry which had been raised against the Bill on the ground that it was permissive legislation. But there was another objection which had been raised to the measure, which he must confess was a very fair one, that was, that it was an attack upon the rights of inhabitants that ratepayers only were to vote, and that they ought to take the opinion of all the inhabitants before the measure should be put in operation. Nothing would give them greater pleasure than to do so if they could; but there was no machinery for getting at them that they knew of. If there were they would be ready and glad to adopt it. Another objection was, that the measure was an encroachment upon individual liberty; but every Act of Parliament was more or less an encroachment upon individual liberty. They put down gambling houses by statute—why not drinking houses? Then it was objected that the ratepayers only were to vote, while all the inhabitants were interested. Now he was ready to give every inhabitant a vote; but there was no machinery for taking the votes of any but ratepayers. Then it was stated there ought not to be piecemeal legislation. This was stated in a Petition presented by the hon. Member for Walsall (Mr. C. Forster) from the licensed victuallers of that borough—only they spelt the word “piecemeal.” But he did not think any grave objection could be brought to their attempting to proceed by instalments. The licensed victuallers argued that they had invested a considerable amount of money in the trade for public accommodation; but if they were so foolish as to invest capital in an

undertaking on the faith that the law of this country would be similar to that of the Medes and Persians, he did not think they were entitled to the consideration of that House. However, he did not object to the Petition; but if their case was really made out, how did the matter stand? The licensing body, the magistrates, were empowered by the public to make a bargain with them, in consequence of which the publicans, in consideration of paying so much money, were privileged to sell drink for one year. The State had a right to decline renewing the bargain. But, whether they were to be compensated or not, surely had nothing whatever to do with the second reading of the Bill. He wanted to know whether a man who built a house with the intention of getting a licence for it, well knowing that the very act of getting a licence would raise the value of that house 50 per cent, was to be compensated when the house returned to its actual value, especially when they knew that the increase in its value to the extent of 50 per cent or so had been made at the expense of the depreciation of the value of property all around it? But only let them clearly know on what ground the demand was made, for until then they could not give it a definite answer. At the same time he would say that any compensation would be cheap which would put a stop to the spending of the hundred millions of money which the country expended annually on intoxicating drinks. He intended to have quoted a list of cases in which the prohibitory principle had been put in force, and the manner in which it had always answered its purpose; but he would leave that to his hon. Friends who would speak after him, and to his noble Friend who would second the Motion, and give his own experience, having seen the benefit of it. His noble Friend the other night attended a large and enthusiastic meeting, at which he stated how of his own knowledge the prohibitory principle had worked, and the strong reasons which induced him to demand it for his fellow-countrymen, having seen the effect of it in different parts of the country in which he lived. The House would allow him to say that the Bill interfered with that of nobody else. His right hon. Friend the Home Secretary did not even give them a hint of what sort of a Bill he proposed



to introduce next year in regard to that question. No doubt the measure which he would bring in would improve the licensing system; and, in point of fact, any Bill which was brought in must be of benefit. He felt sure of that, without seeing it; because he was convinced that it must go the length of restricting the facilities which now existed for obtaining drink, if he made any change at all. But his measure was not passed yet; nay, it was not even introduced. He only said, in the meantime, at all events, do not thrust the liquor down the throats of the people. He did not mean to say that his Bill was a panacea for all the evils of the country; but he believed that it would do an immense amount of good, with no corresponding amount of injury. But if it did a small portion only of good, surely it was worthy of the consideration of the House. Speaking to his constituents last January, the right hon. Gentleman the President of the Board of Trade said—

“If we could subtract from the ignorance, the poverty, the suffering, the sickness, and the crime which are now witnessed among us, the poverty, the suffering, the sickness, and the crime which are caused by this one single but the most prevalent habit or vice of drinking needlessly, which destroys body and mind, and home and family, do we not all feel that this country would be so changed, and so changed for the better, that it would be almost impossible for us to know it again.”

Now, if this measure only tended in that direction, surely it was not one which the Government, the friends, we hope, of the people, could find it in their hearts to oppose. Surely a great responsibility would rest upon any statesman who, without any plan of his own before the House, simply chose to obstruct others. He hoped that the right hon. Gentleman (Mr. Bruce) would not take that course; and if he did, he hoped that the House would support him in a measure which he did not pretend to say would be a perfect cure for drunkenness, but which, at any rate, would give to the people of this country a chance of doing what they believed to be for the advantage of themselves and the welfare of the nation.

LORD CLAUD HAMILTON, in seconding the Motion, said, he would appeal to hon. Gentlemen to dismiss from their minds any prejudices which they might have formed on the subject from what was said by the opponents of

the measure. He contended that the Bill in no way partook of the spirit of the old sumptuary laws, and that it did not seek unduly to interfere with the liberty of the subject. The object of the measure was simply to allow the inhabitants of the country to have some voice and influence in those arrangements which most materially affected their social and moral welfare, and he could not look upon that as an unreasonable or impracticable object. The widespread feeling which now existed on the subject had been created by the consideration that some legislation upon it was necessary. There was an immense body of evidence to show that the greater part of the crime in this country arose from drunkenness. Past legislation on the subject had been faulty and injudicious, and had been confessed to be so by all the authorities and by many successive Governments; and a great public cry had now gone up to Parliament to induce them to meet some of the evils which had been thus created. From the valuable Report which had been issued on the subject by the Committee of the Lower House of Convocation in the Province of Canterbury it appeared that there were nearly 1,000 parishes in which, under the Act passed by the right hon. Baronet the Member for Morpeth (Sir George Grey), the restrictive measures of this Bill were already in operation to a certain degree and were producing beneficial results. He would remind the House that Parliament was not invited to make men moral and sober by statute, but simply to undo its own bad work and remedy the mischief which its own faulty legislation had brought about. In Ireland there was perfect unanimity of feeling upon the subject in almost every class, and among those whose views were of almost every shade. The Roman Catholic clergy denounced the evils of the existing state of things, and countenanced this opposing movement in a manner which was most gratifying to all the supporters of this Bill and most creditable to those clergy themselves, and the same feeling was found in the Protestant Episcopal Church, in the Presbyterian body, in the Wesleyans, and, indeed, in every sect or class of the Irish people, who all joined together as one united Christian body in support of legislation of this character. In Ulster the unanimity in its favour



was marvellous. At the meeting of the General Assembly of the Presbyterian Church the decision was unanimous in favour of the Bill; the Synod of the Reformed Presbyterians had also expressed an opinion in favour of legislation of this kind; and he had received more urgent requests to support this measure than he had received respecting any other measure before the House, including even the Land Bill. After the statement made by the Secretary of State for the Home Department last year, that the most intelligent, industrious, and thriving of the artisans were in favour of such legislation, and after the right hon. Gentleman's further statement that it was the duty of Parliament to aid them in such a matter, he trusted that the right hon. Gentleman would now go further, and give the powerful support of the Government to this Bill. In the name of thousands and tens of thousands of heads of families who were deeply impressed with the evils produced by the liquor traffic, he entreated the House to try to mitigate these evils, and respond to the prayers of the Petitions addressed to them.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

MR. WHEELHOUSE said, he rose to move, as an Amendment, that the Bill be read a second time upon this day three months. Something had been said by the hon. Baronet who introduced the Bill (*Sir Wilfrid Lawson*) as to the number of Petitions which had been presented in its favour; but with an organization such as that of which the promoters of the Bill had command, with branches in every district of the country, it was very easy to get up Petitions to any extent whatever. The real test of the sentiments of the country generally upon the subject was to ascertain what was the actual feeling of the people in the large towns and cities of the kingdom. He begged the House to consider what they were asked to do. He could not see the justice of allowing two-thirds of a meeting called together in some very small room, perhaps, by the mayor of any borough to decide whether what was supposed to be the other third should have a glass of ale or cider. If it was right to shut up public-houses, why was it not sought to shut up the

clubs in Pall Mall and the refreshment rooms of the Houses of Parliament? Gentlemen of position could afford to stock their cellars and have their wine or beer whenever they were so disposed. What was right for the people generally was right for Members of Parliament. Let there be fair and just legislation all round, and if a proposal to abolish the refreshment room there would not be listened to, as something too ridiculous, why apply a different principle in the case of working men? Under the Bill, one parish might determine to carry out the provisions of the Act, and the adjoining parish might say "No." It would only be necessary to cross the parish boundary in order to obtain what you wanted; but, in his opinion, the establishment of a Maine Liquor Law would lead to evasion on all hands. There would be such a determination to obtain the prohibited drink as to render their legislation practically of no avail. If the Bill passed, there was a danger, not to say a probability, that the quietest and best-conducted people would refuse to submit to its operation. Then, as to compensation, could it be said that it had been put that day in the way it ought to have been? Would the hon. Member for Carlisle (*Sir Wilfrid Lawson*) think it right if his own property was dealt with in the way he proposed to deal with that of publicans? If the people promoting this Bill were so anxious to carry out its provisions, they need not enter a public-house. Did the supporters of this Bill never drink a glass of wine or brandy and water? He was, indeed, aware that there were some who said—"Give us not this Bill, but give us the principle, and the Government will settle the details," their object being to get the thin end of the wedge in, with a view of ultimately forcing Parliament to drive the wedge home. Now, he objected to the thin end of the wedge altogether. Not a few of the supporters of the hon. Member (*Sir Wilfrid Lawson*) were professed Freetraders; but Freetraders had sometimes peculiar notions, and allowed but one kind of free trade to exist. Was it free trade to enable two-thirds of the people of a town to say to the other third—"You shall not have a glass of beer?" If the operation of prohibition were so very satisfactory, as it was represented to be by its advocates, how was it that

there was not a rush to those estates in the North, where it was in force, until they became peopled like cities of China and Japan? According to Clauses 8 and 9, the teetotallers could ask the opinion of the voters in a parish or borough once every year, while their opponents would be permitted to do so only once every three years. Was anything so likely to produce and promote almost perpetual agitation and turmoil as this evidently unfair attempt at one-sided legislation? Had nothing been effected by the Act of last year promoted by the hon. Member for West Essex (Sir Henry Selwin - Ibbetson)? And ought it not to have a further and a fair trial? It was idle for the hon. Baronet the Member for Carlisle to say that no interference with the present licensing system was intended. If this were not such an interference, it was difficult to say what could be. In protesting against an infinitesimal portion of the population setting aside vested rights and ignoring compensation, he hoped he should be supported by the House, and in conclusion he would therefore move that the Bill be read a second time upon that day three months.

MR. O'REILLY DEASE, in seconding the Amendment, said, that the advocates of such measures seemed to think that when they had proved, what no one disputed, the evils of intemperance, they had established the necessity for what was called coercive measures. He thought the clergy had done injustice to their own powers of persuasion in seeking for such measures. He did not believe that people could be made wise, virtuous, or temperate by Act of Parliament. The licensed victuallers of Ireland were remarkable for their intelligence and orderly conduct and enlightened ideas, and they would gladly co-operate in promoting any measure which they considered would conduce to social order in that country. No one was more obnoxious to the licensed victualler than a drunken customer.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Wheelhouse.*)

MR. WHALLEY said, it was a mistake to suppose that the Bill proposed any new restrictions in principle. It only enacted that the present mode of restrict-

ing the sale of intoxicating liquors, which was by means of the magistrates, should be made more effective and useful. The greatest difficulty with which magistrates had to deal was that imposed upon them by the licensing system, and on that ground he supported the principle of the measure without pledging himself with regard to its details.

MR. KENNAWAY said, with regard to the assertion that men could not be made sober by Act of Parliament, he thought the House was quite ready to recognize the principle that Parliament could do much, and therefore ought to do much, to remove temptations to drunkenness out of the way. They were asked to assent to the second reading of the Bill not because it was a perfect measure, but because it was the only measure which could be proposed to the country; but, in considering the principle and provision of the Bill, they had to ask themselves whether it was wise, practicable, and just, and he came to the conclusion that he could not vote in favour of it. It gave a power of absolute prohibition to a majority of the ratepayers of a district, and, remembering that a majority of ratepayers might be a minority of the whole population, he thought this was too large a power to give, because it was capable of tyrannical abuse. He believed the minority would not submit to such a vote, riots would ensue, ill-feeling would be engendered, and the last state of things would be worse than the first. It might be said that riots did not ensue upon private estates where prohibition was enforced; but they could not argue from the action of a beneficent despotism and predict a like result in the self-government of a free people. In the one case, there was no appeal against the edict, and transgression would be summarily punished; in the other there was hope that renewed agitation and difficulty of conviction would restore the old state of things. He thought they might consider a little more the licensed victuallers' interest. The hon. Baronet professes himself willing to accede to any proposal of compensation which would obviate any injustice that might be done under this Bill to the publican interest. They were asked to agree to the second reading of the Bill in the uncertain hope that something might be done to modify its provisions in Com-



mittee; but, in his opinion, it was a very dangerous thing to allow measures to pass such a stage in the hope of their being improved afterwards. They had lately heard much about damages for eviction, and would not licensed victuallers have a claim to compensation if their houses were closed? It was said that the only legal claim was to have a licence for a year; but when capital had been invested under the sanction of the Legislature, and the State had derived an income from that investment, it would not be fair or right to interfere with men's trade, and disestablish them, as it were, without more consideration than the Bill proposed. As to New England, the hon. Baronet declared that the imposition of the prohibitory law on the sale of intoxicating liquors in that country had met with great success. He could only speak with reference to the State of Massachusetts; but the effect of the prohibitory law which was passed there 10 years ago had been brought under his notice during two visits he paid to America. The Prohibitory Liquor Traffic Act, passed about 10 years ago, was allowed for a long time to remain totally in abeyance, and on the occasion of his first visit to America there was an absence of restriction of any sort upon the liquor traffic, and though the law existed, it was entirely unenforced. But within two years "a change came o'er the spirit of the dream," and the majority of the Legislature elected on another platform, determined to enforce the Liquor Traffic Act, and the result was that although the liquor was not sold openly in the streets, yet in the hotels its sale was not interfered with, and of the wholesale dealers liquor was always to be procured. Mr. G. A. Sala writes—

"On one occasion when I asked for it the landlady said—'Oh, we can give you nothing whatever to drink;' but the landlord said—'You can get the stuff on the sly,' and so I found. When you enter you ask how the baby is, upon which you go into a cellar or back yard, and there you have an opportunity of drinking the health of the baby."

Therefore, it was plain that drinking went on, and if not openly, there was plenty to be procured. He had lately been in communication with Gideon Haynes, the governor of a state prison in Boston, Massachusetts, a practical philanthropist, and he said that his gaol has been fuller than before, since the

attempted enforcement of the law. Moreover, in offences against the Act juries would not convict any man of good character, and there were, in consequence, 2,000 or 3,000 cases in abeyance. Surely it would be a most impolitic thing that any measure of that kind should be retained on the statute book when it was openly evaded. It was most unfavourable to the morals of the people that laws should be made which could be broken with impunity. It was quite evident, therefore, that in New England the prohibition did not give the effect which was desired, but people could still obtain any drink that they required. When Mr. G. Haynes left Massachusetts six months ago, a Bill was being passed through the Legislature, and had received the sanction of the Lower House, which allowed the open sale of beer, ale, cider, and light wines, as it was felt to be impossible to maintain absolute prohibition. America had undoubtedly preceded us in the struggle against intemperance and ignorance, and in his opinion they were bound to improve upon her experience, and not blindly to follow her example. That was what he trusted they were doing in the matter of education, and what, he trusted, they would do when they came to deal with this matter. But if they could not support this Bill, they were not to be allowed to stand by and do nothing. It was their duty to make more and more strenuous efforts to grapple with what he did not hesitate to say was the most gigantic evil of the present age. The hon. Baronet said that the licensing system had failed everywhere; what they, on the other hand, alleged, was that it never had been fairly tried. Let them see it tried upon the principle of the Home Secretary—namely that the manner in which those houses are conducted should be inquired into and restricted by the law. There would then be far more security for the well-conducted houses. He thought, also, that there should be some power conferred upon the magistrates, or other local authorities, for the purpose of restricting the number of the public-houses in any locality; and then, instead of arraying so formidable an interest against them, they might hope to see the holders of all well-conducted houses on the side of temperance. He thought that he would better serve the cause of temperance by promising a hearty support to



any real attempt to deal with this licensing question than his voting in favour of the present Bill.

MR. BRUCE said, he had listened with pleasure to the last speech, which to a great extent embodied his views, and also to the speech of the hon. Member for Carlisle (Sir Wilfrid Lawson), which was mild and judicious as compared with his Bill and with the tone of its supporters outside the House. He (Mr. Bruce) quite agreed that the interest felt in this subject, especially among the working classes, was both deep and widespread. That was a reason why they should give the question of limiting and regulating the sale of intoxicating liquors their most serious consideration; but it did not preclude them from deciding whether the mode proposed by the Bill was the wisest or the best that could be adopted. The hon. Baronet had dealt fairly with the Government in reference to their conduct in not introducing a Bill this year, for he admitted that if the Irish Land Bill and the Elementary Education Bill were more important than a Licensing Bill, the Government were justified in pursuing the course they had done; but he argued that a Licensing Bill was more important than an Education Bill—and this might be so if reading and writing were the end and aim of education. But the reason why so much labour had been spent first upon education was, that it was believed education would not only expand the intellectual powers of the people, but would also strengthen their moral powers, and encourage in them habits of prudence and forethought, besides creating for them resources the want of which, perhaps, more than anything else led them into drunkenness. He (Mr. Bruce) did not for a moment suppose that education would be a complete cure for drunkenness; but he nevertheless felt confident that the enlargement of the resources of the people would do more than anything else to keep them from the public-house. He opposed this Bill on the ground that it was an imperfect measure. The hon. Member for Peterborough (Mr. Whalley) supported it, because in his opinion it would supersede the granting of licences by the magistrates. He (Mr. Bruce), however, could not possibly see how it would have any such effect. Imperfect as the Bill was, however, there would be some excuse for passing it if it were loudly demanded by the country; but

such was not the case. He felt bound to say that Parliament was pledged to deal with the whole subject, and the Government was pledged also. He should be glad to pledge himself as strongly as he could to undertake to introduce a measure dealing with the whole subject at the earliest practicable period of next Session. Perhaps the Government were rash in introducing this Session two measures of such magnitude as the Irish Land Bill and the Education Bill; for, to use a railway figure, ordinary trains had been shunted for these two expresses, and many important measures remained to be dealt with next Session. The present Bill would deserve to be seriously considered by anyone introducing a general measure. Since the year 1838 they had had in operation two systems, one destructive of the other—a system of authoritative selection, relating to public-houses, neutralized by a system of free trade, relating to beer-houses. The free-trade system never had a fair trial, but they had got rid of it; and the system of authoritative selection was now administered with more regard to public opinion than had ever been shown previously. They, therefore, had a considerable security against a wanton increase in the number of liquor houses; but he did not say that that security was sufficient; and it might be possible to devise other or further means of restriction. It was a more difficult task to deal with existing public-houses than to prevent the increase of their number. No doubt in many places the number was inordinate. Beer-houses had increased in great numbers, and it would have to be considered how that number could be reduced; for, however beneficial the Act of last Session might have been in reducing the number, it applied only in cases where there had been misconduct, or in cases in which the houses were rated below a certain amount. He thought some measure of restriction for the future must be devised; and it would be a great advantage if effect could be given to the popular will expressed in a guarded and judicious manner, and if, without injury to existing interests, they could secure a gradual reduction in the number of existing public-houses and beer-houses in places where by common consent they were too numerous. As to the suggestion that advantage might be taken of the fact that licences were granted only

for a year, it would be to the last degree unjust if they were by one Act to suppress existing public-houses and beer-houses without compensation. In many instances licences had been transferred for large sums of money, even as high as £1,000; and in many cases sums had been expended which could be recouped only by the prosecution of trade for many years. While he agreed that no pecuniary consideration ought to deter the House from doing that which it deemed necessary and wise, he held it would be unjust to stop trade without compensating those who had embarked their capital in it. The Bill made no provision for this, and it was not sufficient in such a matter to accept the hon. Member's assurance of consideration. The Bill ought to contain the means by which compensation should be offered to those whose trade was interfered with. These were the reasons why he could not support the Bill. A measure introducing better regulations for good order, providing against the adulteration of drinks, further limiting the hours of sale, offering great security against the multiplication of houses, and giving effect to the well-considered opinions of a proper tribunal as to the adaptation of the number of houses to the wants of the population, would be far more effectual, and give more general satisfaction, than this one-sided, incomplete, and, he must add, unjust measure.

MR. M. A. BASS said, he thought the course taken by the hon. Member for Carlisle (Sir Wilfrid Lawson) very intelligible, but not very fair. Those who with the hon. Member were in favour of prohibiting the sale of all intoxicating liquors, but did not see any prospect of carrying their views into effect, now attempted by means of the present Bill to put in the thin end of the wedge in the hope that the time would come when, on returning from a dinner party, some one might say of his host—"That vulgar fellow had wine on the dinner table." He could not conceive how those whose object was simply to restrict intemperance could advocate the present measure. For his own part, he did not think it would be just to place in the hands of two-thirds or three-fourths, or any other proportion of the ratepayers, or of any other local body, the right to interfere with the comforts and enjoyment of the great mass of the people. What was right for one district would be good for all.

If the House passed the Bill it would permit local legislation to override Imperial legislation; and how, he asked, could the sanction of such a Bill as that now under consideration be reconciled with the commercial treaties with France and other wine-producing countries? It was impossible to make people total abstainers by Act of Parliament; and the Bill, if carried, would be systematically violated. It would, in fact, encourage secret drinking, and merely convert the people from a beer-drinking to a spirit-drinking people. Under the existing state of things temperance was on the increase; for statistics showed that while in 1750 the consumption of beer per head was 72 gallons, in 1869 it was not more than 36 to 34 gallons. He hoped the Government would introduce a measure dealing with the whole subject in such a manner as to conciliate all moderate men, and do away with the suspense in which the trade was now kept; but he trusted that no concession would be made to the permissive principle, which would have the effect of giving to local bodies the power to interfere with vast existing interests and the reasonable convenience of various districts. He wished to see a responsible licensing tribunal established, which would decide all these cases unswayed by local prejudices and local politics; and that rules should be laid down by which a certain number of public-houses might be licensed in proportion to the population of each district, their management regulated, and punishment awarded for wilful violation of the rules. The present Bill proposed to empower a number of ratepayers in any district to make an attack every year not only on the business of beer-house-keepers and publicans, but on that of all wholesale and retail dealers in intoxicating liquors, and, by a majority of two-thirds of those voting to prohibit them from selling such liquors. Was ever such a principle of legislation adopted? Those men were as honest as any other traders, and had been licensed by the State in order that they might increase the national Revenue. They were, at any rate, in common fairness entitled to compensation if their business were destroyed. The hon. Member for Denbighshire last year said—"Salus populi suprema lex," by which he meant, he supposed, that it was fair to inflict any injustice on the minority so long as the majority were benefited; but there was another



maxim equally sound, and that was—*"Fiat justitia ruat cælum,"* which he might translate by the words—"Do justice at whatever cost." If compensation was to be given, he should say that they who indulged in the amusement of ruining their neighbours were the proper persons to pay for that luxury. If this had been a small question no doubt it would have been dealt with by a straightforward measure; but it related to a trade with a capital of more than £100,000,000, and to a Revenue of £23,000,000. The hon. Member for Carlisle simply nibbled at the subject in the hope of bringing the country to share his views; but the question was too large for his hon. Friend to undertake, and he trusted that early next Session the Government would bring in a comprehensive measure.

SIR WILFRID LAWSON said, he would only address a few words to the House in reply. He admitted that his Bill was imperfect; but he maintained that an imperfect measure was better than none at all. What was wanted was that the people should have a veto, and that the magistrates should not be allowed to have this power over them. If it were said that the people were not fit for such an extension of power, he, for his part, could trust them, and he hoped the House would trust them. He quite agreed with the Secretary of State for the Home Department in thinking that if the people had more resources they would abstain from drinking; but his point was that at present there were hundreds of thousands of people in this country who, without having such resources, were exposed to the temptations set before them by the Government, and it was to enable the people if they wished it to remove those temptations that he brought forward the Bill. This Bill would not interfere with any measure which the right hon. Gentleman might introduce next year; but it was needed as a supplement to any licensing system, and he therefore hoped the House would agree to the second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 90; Noes 121: Majority 31.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for three months.

*Mr. M. A. Bass*

EDUCATION OF THE BLIND, &c. BILL  
(*Mr. Wheelhouse, Mr. Ward Jackson, Mr. Mellor.*)

[BILL 47.] SECOND READING.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Assheton.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed*.

Question put, and *negatived*.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

BURIALS (*re-committed*) BILL—[BILL 123.]

(*Mr. Osborne Morgan, Mr. Hadfield, Mr. M<sup>r</sup>Arthur.*)

COMMITTEE. [*Progress 27th May.*]

Bill *considered* in Committee.

(*In the Committee.*)

Clause 1 (After passing of Act notice may be given to incumbent of intention that burial shall take place in churchyard without the rites of Established Church, and either with or without any other religious service).

Amendment proposed,

In page 1, line 11, after the word "incumbent," to insert the words "of any parish or ecclesiastical district in which, or in the churchyard or graveyard of which, previously to the passing of this Act, such person would have had a right of interment."—(*Mr. Goldney.*)

MR. OSBORNE MORGAN said, he must object to the Amendment as being unnecessary.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 89; Noes 143: Majority 54.

MR. COLLINS said, he would beg to move, in Clause 1, line 16, to leave out the words "or graveyard." His object was to carry out the compromise of the Committee on the Bill, by confining the operations of the Bill to churchyards,



and not allowing them to extend to graveyards or cemeteries. It was evidently the intention of the Committee to confine the operation of the clause to parish churchyards.

MR. OSBORNE MORGAN said, he hoped the hon. Member would not press his Amendment. He would, however, consent to introduce a Proviso in Clause 11 to meet the object the hon. Member had in view—namely, to confine the operation of the Bill to parish churchyards.

MR. COLLINS said, he thought it very inconvenient to discuss a Proviso which was not before them.

MR. CAWLEY said, he hoped the words proposed to be struck out would be retained.

#### *Amendment negatived.*

MR. SCLATER-BOOTH said, he had an Amendment to propose, which, however, he moved in no spirit of hostility to Dissenters. His earnest desire was that Dissenters should have free access to the church and churchyard—the more free the better; but the performance of Divine service within the churchyard by other than ministers of the Church of England was a violation, he did not say of decency, but of good order, which he thought they ought not to sanction. There was really no practical distinction between the performance of Divine service in the churchyard and the church. He begged to move, in line 18, to leave out “either with or.”

MR. BAINES said, the Amendment, if carried, would have the effect of destroying the whole object and principle of the Bill. It would be most offensive to Dissenters, and he thought it would be far better for the hon. Member to meet the Bill with a direct negative rather than by such a side wind as his Amendment.

MR. HEYGATE said, he hoped the Committee would accept the Amendment, as he believed that it was requisite in order to remove all danger of unseemly conflicts between ministers of different denominations within graveyards. He admitted that Nonconformists had reasonable grounds of complaint, which the Bill would remedy; but, having obtained the removal of the grievance they were exposed to, they were not justified in seeking to obtain any further concessions. Sir Morton Peto's Bill con-

tained a restriction to the same effect as the Amendment.

MR. STEPHEN CAVE said, it was proposed by the Bill to allow Roman Catholics and Dissenters generally to perform their religious services in those graveyards. If that claim were allowed great offence might be given and disturbances occasioned in many places. In the South of England he knew of painful and dangerous riots arising day after day, in consequence of attempts to introduce into the parish churchyard the extravagant ceremonies of what was commonly called the Ritualistic party.

MR. OSBORNE MORGAN said, he could not accept the Amendment, because it would affect the whole principle of the Bill. The object of it was evidently to prevent Dissenters being buried with any religious services, unless that of the Church of England, or to place them on the same footing as suicides and malefactors.

MR. SCLATER-BOOTH said, the hon. Member (Mr. Osborne Morgan) had imputed to him sentiments which he had never uttered. He (Mr. Sclater-Booth) never wished Dissenters to be buried without the interposition of religious rites; but in many country places, as well as in Scotland, the religious services were performed at the residence of the deceased person.

MR. BRUCE said, the hon. Member for Leicestershire (Mr. Heygate) spoke of the Bill as removing the last objection of the Dissenters; but if the Amendment were adopted the Bill would leave the main objection to the existing state of things untouched.

SIR FREDERICK W. HEYGATE said, the clergy had felt themselves conscientiously compelled by the canons to raise an objection to the clause.

MR. GOLDNEY said, the Dissenters were putting themselves in a wrong position. The Nonconformists were recognizing the superstition of reading prayers over the dead, which they had so long repudiated.

COLONEL BARTELOT said, the hon. Member for Leeds (Mr. Baines) wished to throw out this Bill by a side wind. He (Colonel Bartelot) intended to support the Amendment of his hon. Friend (Mr. Sclater-Booth), and if they were beaten he would move the omission of the clause. He particularly disliked the Bill. All his constituents also disliked the Bill. The Bill touched them in a

tender point. It was running a needle into his eye. He was not prepared to allow people to run the needle into his eye. He stood up for his church and his graveyard. If his Dissenting friends were willing to enter the graveyard in his way let them come, and he was willing to receive them. If they wished to come in their own way, he was not ready to receive them. He objected to the Bill; and if it did not pass this year, and if it was re-introduced next Session, he would do his best to turn it out again.

MR. BENTINCK said, the hon. Member for Leeds (Mr. Baines) was, doubtless, acquainted with the details of his own religious communion and with those of the Church of Rome. He must, then, be aware that almost the whole of the religious observances were performed in the church, and that only a very slight ceremony was gone through at the grave. The Presbyterian community throughout the world performed the last offices of the dead in their houses. The same course was pursued in Scotland.

Committee report Progress; to sit again To-morrow.

#### NORFOLK BOUNDARY BILL.

On Motion of Mr. Secretary BRUCE, Bill to declare the Hundred in which a piece of Land in the county of Norfolk is situated, and to provide for the Assessment of the said piece of Land to the County Rate, *ordered* to be brought in by Mr. Secretary BRUCE and Mr. KNATCHBULL-HUGESSEN.

Bill *presented*, and read the first time. [Bill 217.]

House adjourned at five minutes before Six o'clock.

## HOUSE OF LORDS,

Thursday, 14th July, 1870.

MINUTES.]—*Sat First in Parliament*—The Lord Beaumont, after the death of his father.

PUBLIC BILLS—*First Reading*—Telegraph Acts Extension\* (206); New Zealand (Guarantee of Loan)\* (207); Paupers Conveyance (Expenses)\* (208); Sugar Duties (Isle of Man)\* (209); Clerical Disabilities\* (210); Extradition\* (211); Judicial Committee\* (212).

*Second Reading*—University Tests (182); Customs and Inland Revenue\* (146); Siam and Straits Settlement Jurisdiction\* (197); Charitable Funds Investment\* (181); Rents and Periodical Payments\* (180).

*Select Committee*—Report—Public Health (Scotland) Supplemental\*.

Colonel Barttelot

Committee—Evidence Further Amendment Act (1869) Amendment\* (75); Tramways (194-204); Benefices (130) discharged.

Committee—Report—Petty Customs (Scotland) Abolition\* (196-205); Consolidated Fund\* (£9,000,000)\*.

Report—Prayer Book (Table of Lessons (202).

*Third Reading*—Salmon Acts Amendment\* (147); Cattle Disease (Ireland) (171); Magistrates in populous Places (Scotland) (143); Dividends and Stock\* (200); Sligo and Cashel Disfranchisement\* (201), and *passed*.

*Royal Assent*—Attorneys and Solicitors Remuneration [33 & 34 *Vict.* c. 28]; Wages Attachment Abolition [33 & 34 *Vict.* c. 30]; Wine and Beerhouse Act (1869) Amendment [33 & 34 *Vict.* c. 29]; Sale of Poisons (Ireland) [33 & 34 *Vict.* c. 26]; Protection of Inventions [33 & 34 *Vict.* c. 27]; Jewish United Synagogues [33 & 34 *Vict.* c. 116]; Saint Olave, &c. Charities [33 & 34 *Vict.* c. 117]; General Police and Improvement (Scotland) Supplemental [33 & 34 *Vict.* c. 115]; Local Government Supplemental [33 & 34 *Vict.* c. 114].

#### UNIVERSITY TESTS BILL—(No. 182.)

(*The Lord President.*)

SECOND READING. BILL REFERRED TO A SELECT COMMITTEE.

Order of the Day for the Second Reading, read.

EARL DE GREY AND RIPON: My Lords, I rise for the purpose of asking your Lordships to give a second reading to a Bill which has for its object the repeal of the tests and restrictions in respect of religious opinions at present imposed on persons who seek to occupy certain positions and to hold various offices in the Universities of Oxford, Cambridge, and Durham. It will first be my duty to establish that, in principle, the measure is founded alike on justice and expediency. In doing so, I first refer to the history of our Universities. We are all aware that during the Middle Ages the interests of the then existing Church in the Universities were universal; and for the best of all reasons—namely, because in those days the Church and the nation were, speaking broadly, co-extensive. I do not desire to press the argument too far; but it will not be disputed that nothing in the nature of religious tests or restrictions then existed, and that the Universities in those times included in their walls and their circle of instruction not Englishmen only, but men of all nations, and I believe I may say of all creeds then in existence. It is, no doubt, true that after the Reformation, when religious differences began to spring up in this country, the practice of imposing tests,



whether as regarded the admission of students or the holding of offices, gradually arose; but this was simply a part of what was then the general policy of the country, which imposed tests of a similar character as a qualification for admission to the Legislature and various offices, and which were then relied on as a means of bringing back men to a sense of loyalty and unanimity in matters of religion. It is matter of history that the imposition of tests and restrictions were not successful, and that so far from bringing men to an agreement on religious subjects, religious differences and the number of religious denominations have increased, so that, in spite of the many laudable and successful efforts made by the Church of England to advance the form of faith to which most of your Lordships adhere, a very large portion of the community are not now members of it. For many years past the constant and steady policy of this country has been to remove these tests and restrictions one after another from our national institutions, and the circumstances of the time and the condition of the world, over which we can exercise but small control, have brought us to a point at which we must choose between maintaining the exclusive Church character of the Universities and making them in the fullest sense national institutions. It may be held that men were happier in former times when no such choice was necessary; but the opinion of the country and the circumstances of the time render it impossible that the Legislature can much longer evade a decision, for which I believe the voice of the nation has already pronounced. I can, at any rate, say assuredly, that the opinion of the Legislature has been already pronounced upon it, for your Lordships must bear in mind that this, so far from being the first step which Parliament has taken respecting University tests, is rather the final step which we are called upon to take. In considering the Bill now before the House, your Lordships must steadily keep in mind the steps which have already been taken in this direction. Your Lordships are aware that at present men of all religious opinions are admitted to the Universities with which the Bill deals in the character of students. At Oxford and Cambridge a man of any religious opinions may enter as an undergraduate, devote himself to the studies of the University,

compete with his fellows, and by his own exertions and talents gain for himself the highest academical honours. When, however, he has gained these distinctions—and the case is no hypothetical one—he is told that, according to the law as it now stands, although he may have won a Senior Wranglership he cannot, without subscribing to tests to which he cannot conscientiously submit, proceed to obtain the honours and advantages of his College and become a Fellow, say of Trinity College. Now, surely that is a state of things which it is impossible to maintain as a matter of justice and expediency. Neither can it be maintained in the interests of the Church itself; for I can conceive few things more calculated to injure the real interests of the Church. I can conceive nothing more calculated to excite indisposition or hostility towards a Church, whose influence we desire to see extending, than the exclusion, in its supposed interest, from Collegiate and University offices and emoluments, and from the Governing Body, of a man who, while an undergraduate, had been on a perfect equality with his fellow-students, and who had conferred lustre on his College and University.

These being the general arguments in favour of the measure, let me turn for a moment to the Parliamentary history of the question. When last year my noble Friend (Earl Russell), with all the weight of his great authority, asked your Lordships to read a similar measure a second time, the noble Earl opposite (the Earl of Carnarvon) moved the Previous Question, partly on the ground that this was to your Lordships a comparatively novel question. Now, whatever may have been the fact as to this House, it cannot be said that as a Parliamentary question this is a novel one. The noble Marquess (the Marquess of Salisbury) has been engaged, with his usual power and energy, in more than one contest in the House of Commons upon the question; and, with one exception, there has not been a Session since 1864 in which a measure dealing with the subject has not been brought forward in that House. The question has been considered in no less than three distinct Parliaments, in every one of which the opinion of that House has been more and more decidedly affirmed in favour of the principle of the Bill. I admit that in 1864 that opinion was of a doubtful description, for the Bill was thrown out on one occasion by



a majority of 2; but in 1865 it passed, the second reading, although circumstances prevented its further progress. In the Parliament elected in the autumn of 1865 the opinion of the House of Commons became more pronounced; and in 1867 a measure dealing with tests as far as the Universities were concerned came up to this House, when the second reading was moved by my noble Friend (the Earl of Kimberley), and rejected by no very large majority. In the present Parliament—partly perhaps on account of the removal from the House of Commons of the noble Marquess (the Marquess of Salisbury), but partly on account of the progress of opinion in the country—the majorities in favour of the measure have become more and more decided than on any previous occasion. Under these circumstances, your Lordships are called upon to re-consider your previous decisions on this question. I can claim no right to express an opinion as to the feeling of the Universities themselves in regard to this Bill; but this I can give as a matter of fact—I understand that both at Oxford and Cambridge a very large proportion of those engaged in the actual work of teaching are in favour of the principle of the Bill.

This being the history of the past with regard to the measure, I need detain your Lordships but a very short time in explaining its provisions. The measure deals not only with the Universities, but with the Colleges within them. It provides that all tests and restrictions as to graduation and offices founded on religious opinion shall be abolished. This, as regards the Universities, was the principle of the Bill of last Session, as it was also more or less of the Bills offered in previous Sessions; but with regard to the Colleges there is a material difference which it is right I should point out. The Bill of last year simply gave power to the Governing Bodies of the Colleges to make what arrangements they might think fit with respect to the admission of graduates to honours, Fellowships, and a share in the government of the Colleges. So far the Bill of last year was a permissive Bill; whereas the Bill now before your Lordships is one of an imperative character, declaring that all religious tests shall henceforth be done away with. The permissive proposal of last year, however, met with little favour either at the hands of University reformers or from the direct opponents of

those reforms; and, as I understand, even in the Universities and the Colleges there was a general feeling that a permissive measure would lead to many and continuous disputes, and a common consent that it would be better for Parliament to legislate directly and decidedly upon the subject. In consequence of these representations the permissive principle has been abandoned in this Bill, and it absolutely repeals all statutory enactments contrary to its principle. It is important, however, to remember that the 4th clause of the Bill is intended to protect the religious character of the education given at the Universities. The clause was introduced into the Bill of last year on the Motion of Sir Roundell Palmer, and the arrangement was deemed so satisfactory by that hon. and learned Gentleman that he withdrew all further opposition to the Bill, and Her Majesty's Government have adopted it without hesitation. I attach some importance to this clause, because I am not one of those who desire to see what is called exclusively secular education or colourless religious teaching introduced into the Universities. By this Bill your Lordships will find that a renewed Parliamentary sanction is given to the religious character of the instruction to be imparted at the Universities; so that, as it appears to me, while we maintain the religious character of the instruction given at our ancient seats of learning, we shall at the same time by this Bill remove the obstacles which have hitherto prevented a wider and more general participation in the benefits of a University education. It might naturally have been hoped that, after the frequent discussions the subject has undergone and the numerous Bills which have been sent up from the other House, the Motion with which I am about to conclude would be agreed to without any opposition. Last year the noble Earl (the Earl of Carnarvon) moved the Previous Question, chiefly on the ground that further consideration was required, for he did not like to combat the principle of the measure, and he urged that Oxford had had no time or opportunity of considering the question. That plea can hardly be repeated after the lapse of 12 months; but I find that I am to be met by a Motion, not directed against the principle of the Bill, but calculated to raise a by-issue. No man can doubt the sincere interest which the noble Marquess (the

Marquess of Salisbury) feels in everything which relates to the permanent welfare of our Universities—especially of that illustrious one which has recently conferred on him, with so much wisdom and advantage to itself, the highest honour it is in its power to bestow. I cannot for a moment doubt that the noble Marquess is influenced by a pure desire to maintain the advantages which the Universities confer upon the country. At the same time, I think I shall be able to show reasons for doubting whether the course the noble Marquess proposes to pursue is the best calculated to secure the objects in view. The noble Marquess proposes to meet the Motion for the second reading of the Bill by two Resolutions. To the first of these I should be disposed to interpose no objection, were it not interposed in the way of the second reading of the Bill. I am bound to say that, taking the words of that Resolution in their general sense, they are not in my mind inconsistent with the general principle of the Bill. Indeed, on comparing it with part of the Preamble of the measure, it will be found substantially identical with it. [The Marquess of SALISBURY: It is a transcript of it.] My noble Friend admits more than I was going to argue, for he acknowledges that his Resolution is a transcript from the Preamble. Now, if he thinks that the Bill does not sufficiently carry out the declaration of the Preamble, let him in Committee propose Amendments for that purpose; and provided they are consistent with his own Resolution in enabling “persons not members of the Church of England to hold offices to which they are not now eligible,” I shall be ready to give the most careful and complete consideration to any proposal which may provide—

“Proper safeguards for the maintenance of religious instruction and worship, and for the religious character of the education to be given.”

I should have the greatest hopes that the noble Marquess and your Lordships would accept the offer which in all sincerity I make if the first Resolution stood alone; but, unfortunately, there is behind a second Resolution, to which I cannot so readily assent. When I first read that Resolution I confess I was somewhat startled, and found it difficult to comprehend the meaning. At

first reading it seemed simply intended—though I may have been doing an injustice to the noble Marquess—to get rid of the Bill altogether. It does not even propose the appointment of a Select Committee, but merely speaks of a Committee, and it is so vague and general that I regarded it as an euphemistic mode of rejecting the Bill. [The Marquess of SALISBURY was understood to intimate that he intended a Select Committee.] Then I will not press that argument. But there is another which I am obliged to press. If the noble Marquess thought a great advantage would be derived from an inquiry by your Lordships’ House into all the bearings of the subject, why, when he was apprised by the Speech from the Throne that the Government intended to deal with the question, did he not take the earliest opportunity—especially as he is so apt to complain of your Lordships having nothing to do—of proposing a Select Committee, in order that the subject might be fairly investigated, and that when the Bill reached this House your Lordships might be fully informed upon it? I venture to think that the notion of a Committee and of an inquiry suggested itself at a later period, and had some connection with the shadow, if not with the actual presence of this Bill. He does not even now propose a Select Committee on the Bill, but he wishes to set the Bill aside and refer the general question to a Committee; the effect of which must, of course, be to postpone, at least for another year, the settlement of the question. The noble Earl (the Earl of Carnarvon) and the noble Marquess are evidently sensible that a settlement of the question on the principle of this Bill is inevitable, for otherwise they would distinctly oppose the second reading. Such a settlement being, then, inevitable, what substantial advantage does the noble Marquess expect to obtain by a twelvemonths’ postponement? Nobody knows better than he that our ancient Universities have before them a great and important task. They have to consider to what extent and in what manner they can admit into the curriculum of their studies those sciences which during the last quarter of a century have grown so rapidly as almost to threaten the overshadowing of other branches of knowledge. They have the task of combining those subjects with



the ancient and time-honoured studies to which they have hitherto devoted themselves, and of reconciling the spirit of those modern studies with that spirit of religious faith for which the Universities are distinguished. That is a great and truly national work—one of wide and vast importance. How can it be advanced by the continuance for another year of the agitation upon this worn-out question? Is it desirable to divert the Universities from their real duty for the sake of maintaining a contest which is really settled, a battle which has long been lost, on a question which my noble Friend will admit to be of vastly inferior importance to the more pressing task to which I have alluded? It appears to me that such a course is fraught only with mischief to the Universities themselves—it will only increase the agitation and party bitterness which we have already experienced. Entertaining these views, and believing this measure to be just and expedient, I earnestly entreat your Lordships, for the sake of the Universities themselves, for the sake of the Church, for the sake of justice to individuals and the interests of the nation at large, to read this Bill a second time.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord President*.)

THE MARQUESS OF SALISBURY: My Lords, I trust that I shall be able to clear myself from the imputation which the noble Lord President, to some extent, threw upon me, of having unnecessarily delayed the Motion for a Committee to inquire into the measure proposed by the Government, when, warned by the Queen's Speech, I might have done it earlier in the Session. I confess that that course occurred to me at the beginning of the year; but on consideration, I said to myself—"This is a measure which has never before been adopted as a Government measure; the House of Commons and the Ministry depend entirely upon one eminent individual; and that eminent individual has himself but very recently held the opinion which I wish to defend. He has a perfect right, like everybody else, on sufficient cause shown, to change his opinion; but the inevitable impression made by such a change is that a further change is always possible." People doubt the stability of convictions recently ac-

quired—and acquired in opposition to the previous convictions of a whole life; and I, therefore, thought to myself that although we should certainly know what the Bill would be when brought into the House of Commons, yet it was probable that we should know nothing, whatever its original shape, of what it would be when it left the House of Commons and was sent up to the House of Lords. Feeling, therefore, that it was of very little use to inquire into a measure of which we did not know the exact provisions, I thought it the wisest and most convenient course to defer any proposition for inquiry until we knew what the subject of inquiry was likely to be. And I confess I am glad I did so, for an inquiry into the Bill as it went into the House of Commons would have been of little use in its bearing upon the present Bill as it has been sent up to us by the Commons. The question, as the noble Earl has remarked, has been for many Sessions the subject of private Motions. It has been handed over from independent Member to independent Member of the House of Commons; it has been carried by gradually increasing majorities, and at last it has been adopted by a Government some of whose Members have almost up to the end retained their objections to it. In that respect it does not differ much from the genesis of many other Bills with which I am acquainted; but it differs from all that I know in this—that it has reached the stage of ultimate legislation, dealing with such important interests, without any inquiry by a Royal Commission or by a Committee of either House. My duty is not to argue against the principle of the Bill, if by the principle of the Bill is meant the admission to offices of persons who cannot now hold office in the Universities—my business is to impress on your Lordships that so grave a step in legislation ought not, if you are faithful to your own traditions and precedents, to be adopted without due and careful inquiry. What is the object of this Bill. My noble Friend the Lord President has sufficiently explained what, to his mind, is its object. He desires to admit persons who are generally, though somewhat vaguely, known as "orthodox Dissenters" to the benefits of University honours and emoluments, from which they are now excluded by the test of



subscription to the Thirty Nine Articles. That is a very intelligible and, from their point of view, a very legitimate object on the part of the Dissenters—were I a Dissenter myself I should do very much the same thing. It is quite right that the adherents to any form of belief should do their best to attain all that may tend to the honour and propagation of that belief; nor do I dispute that the circumstances of the day have very much changed with respect to the power of resisting such a claim. I do not profess to have changed my opinion; but seeing what the political forces of the day are, and knowing, as I have had the opportunity of knowing, the opinions of the leading men—at least in the University to which I have the honour to belong—I do not intend to maintain that we desire as an object to exclude Nonconformists from University and collegiate honours and emoluments. We are content that that should be so, subject to one condition. We are content to admit that in the present condition of the world—in the existing state of things—it would be wiser and better, and more for the interests of peace, learning, and religion, to admit such a state of things than to resist it. But there is one condition—a condition affirmed in the Preamble of this Bill, and as a mere abstract piece of sentimentality contained in the clauses, though there is not one shred of enactment to secure it—the one condition to which we attach an importance immeasurably superior to any consideration of honours or emoluments. I will describe it in the very words of the Government—

“It is expedient that such restrictions, tests, and disabilities should be removed, under proper safeguards for maintenance of religious instruction and worship in the said Universities and the Colleges and Halls now subsisting within the same.”

These words point, whether designedly or not, to the real enemy with whom we have to contend. Our contention with the Dissenters has been in one sense only political. The points on which the mass of the Dissenters differ from the Church of England are points upon which, in their day, men felt with intense earnestness and fought with unflagging vigour, and I do not wish to underrate their importance; but they are points from which the intellectual interest of the age has passed away. They are no longer the battle-fields of religious con-

troversy. The points of Church government which separate us from the Wesleyans and Independents, the question of the age of baptism which separates us from another important sect—important as these questions are, and I should be sorry to treat them as trivial—they are not points on which those who are interested in the condition of Christendom, all who look with interest on the present relations of the progress of civilization and the purity of Christian faith, are most deeply interested. We feel that the battle is shifted to another ground, and that we have to deal with a much more potent and dangerous enemy. The progress of physical science, the gradual familiarity which political events have given us with the modes of thought of the Eastern world—these, together with other less powerful causes, have produced effects on the human mind similar to those which previous inventions and discoveries have produced. Just as 300 years ago the discovery of America, the invention of printing, and the sudden familiarity with ancient literature dazzled and confused men's minds, and drove them in some cases from the landmarks of the faith—so in our day there is a violent movement towards utter unbelief, which is principally felt among the most educated and cultivated classes of society. No one who deserves the name of Christian can look upon that movement with anything of permanent alarm, or can believe it will ultimately compromise interests very dear to us; but undoubtedly it is a force which, within our own generation, has been tremendous, and we cannot say it is yet spent. No doubt, after a time, better counsels, a more moderate estimate of the relations of the new discoveries to the ancient beliefs and their bearing on the ancient faith will prevail; but, in the meanwhile, we have to deal with a class of men, earnest men of clear and powerful intellect, honest, pure in the morality which they have derived from the Christianity which they repudiate, who seek with all the earnestness of a religious propaganda to overthrow the religion in which they have been brought up. That is the real enemy whom we have to deal, and all our differences of opinion on points of secondary importance with Dissenters sink into immeasurable insignificance compared with the magnitude of this

contest. Now, it is from the feeling that this Bill bears upon this great controversy, that it may for the course of some time, if carried in its present form, delay the ultimate and sure victory of the truth and cause many souls to be gathered into the net of error, that I have always looked upon it as far superior in importance to any measures dealing with merely secular and terrestrial interests. I am aware that, happily, there are very few in Parliament who would be prepared to maintain the desirability of giving free course to unbelief. That the Dissenting forces are used by those who desire such an issue I do not doubt; but I know well that those who are really guiding the Dissenting forces do so with a scarcely concealed contempt for the credulity of the allies they are forced to use. I can understand statesmen who have not thought of these things wishing to thrust aside a controversy which is always barren and certainly acrimonious; and therefore many sophistries, if I may call them so, have been devised to induce us to believe that a measure of this kind will have no influence in forwarding the progress of those errors to which I have called attention. It is said, for instance, that tests are of no real effect, and they have been compared to a hedge or wall which can easily be broken through or climbed over. Well, no doubt, there are people who can break through tests just as there are unscrupulous intruders who can climb over a wall or force their way through a hedge; but you do not on that account abandon your garden walls, and I see no prudence in abandoning tests in the case of institutions to which they are adapted. They do keep out a very large proportion of the persons against whom they are directed, though, no doubt, there are a certain number of people with minds sufficiently subtle and consciences sufficiently elastic to break through them. If I wanted to prove the efficiency of tests I should not refer to mere theoretical arguments, but give a practical illustration. No set of people in the world are freer from prejudices connected with antiquated traditions than our cousins on the other side of the Atlantic. Yet the Americans, when, in the height of a fierce political contest, they desired to keep certain members out of Congress, could conceive of nothing more efficient than the anti-

quoted tests which you despise. If those tests were not practically useful, I am sure the Americans would not have adopted them; and, as a matter of fact, they have effected the object in view, and they keep out everyone whom their authors desired to keep out. But then we are told that the Church is strong in the Universities, and that if you only give free trade and fair play in regard to religion, the Church will be in no danger. If the Universities had the power of electing the Fellows and Tutors of each College, I should admit that there was a great deal of force in the argument; but those who use it do so in utter forgetfulness of the strange constitutions of our Colleges. The College Fellows have always been a body electing their own members; and the perpetuation of that body has been confided to the existing Fellows who have had the entire power over the education of their College. It was for them to decide whether the statutes should be altered, and on what conditions, and with what qualifications the Tutors should be selected. Until 1854, the Fellows had absolute discretion as to whom they should elect; but in that year Parliament passed a statute altering all this. It deprived the Fellows of their absolute power, and said to them—"You shall take the man who has done the best in an intellectual examination." The consequence is, that the condition of the Colleges has come to this—the College Tutors now consist of men who, at the age of 22, or thereabouts, are able to compose better Greek Iambics, or to give a better account of Greek philosophy than their fellow-students. On that qualification, and on that qualification alone, they have gained a permanent right to govern and control the education of the youth of this country. There is no appeal against their decision; there is no power of regulating them; and neither the State nor the Universities can interfere with them. Whatever happens, the circumstance of their having had at the age of 22 this peculiar educational qualification enables them—no matter how much their opinions may subsequently change on matters of belief or morality—to go on to their dying day regulating the discipline and appointing the officers of their College. So long as there was a statutory guarantee for the faith of these College Fellows, it per-



haps was not worth while to interfere. The arrangement was always an anomalous one; but I can understand that, as long as there existed some guarantee for the faith of the Tutors and the Fellows, it might be sustained. It does seem to me, however, that you are exposed to extreme danger if you allow—if on the mere score of intellectual superiority at the age of 22 you allow this vested right of managing education to men for whose religious belief or opinions you have not the slightest guarantee. I do not for a moment pretend that if the course of opinion in this country should unhappily be such that Christianity loses its hold over the people, and if they should no longer desire their children to be brought up in that religious belief, it would be possible to prevent the Universities from being drawn into that common destiny. What I say is this—that the Universities should not become the echo of every vicissitude of opinion. As the Colleges are now constituted, a very small number of men might make a College in either of the Universities a centre for propagating unbelief. In many of the Colleges, the Fellows are not more than a dozen or so in number, and by reason of some of them being non-resident, the practical Governing Body is reduced to six or seven. These are selected purely on this principle of their intellectual superiority at the age of 22 or 23, and four or five persons who had got in on this ground, if it so happened that they were agreed in opinions hostile to Christianity, might set up an infidel College in the midst of either University. There would be absolutely nothing to prevent this. You may say, perhaps, that this is exceedingly improbable. I admit its improbability; but still the mere chance of some three or four men holding peculiar opinions being able to get in, seems a very dangerous thing to which to trust the education of our youth. What I dread more than anything else is that, at an age when the character is unformed, the passions strong, and the conviction not yet settled, young men going to the Universities should find College set against College, and Professor against Professor, with reference to the deepest mysteries of the Christian faith, and all that they had been accustomed to regard with reverence, and all the restraining truths of religion called in question every hour of the day. You cannot, I am

aware, silence differences of opinion—truth must be fought out amidst controversy—but the young, with tender and unformed minds, surely ought not to be plunged, at the most dangerous period of life, into the arena of such controversies as these. I maintain that the constitution of our Universities is not fitted for this unrestricted liberty of religious opinion, and that we must overhaul the whole question, and go into all the arrangements which have existed so long, if we are about to introduce an element so strange and novel. I do not see how, in justice to the parents of this country who, undoubtedly, look to the Universities to bring up their children in the habits of morality and the truths of religion, we can establish a system which would offer such a fair field for an infidel propaganda. I have heard no argument against this inquiry—nothing that anyone could say was worthy to be called an argument. My noble Friend (Earl De Grey and Ripon) indeed descanted on the dangers of delay, and hinted that, if delay occurs, we shall have something worse than the present measure. Well, my Lords, I am quite at ease on that score, for I defy my noble Friend to produce a worse measure than this.

EARL DE GREY AND RIPON said, that he had made no hint of the kind referred to.

THE MARQUESS OF SALISBURY: I certainly thought I heard my noble Friend say something about the agitation growing every day more acrimonious; but I am very glad to find I was mistaken on this point. As to what my noble Friend said about delay, it is quite clear that, if there is no evil in delay, the case for inquiry becomes overwhelming. Remember that the step you are asked to take in my Motion is quite in accordance with precedent; because small measures as well as large ones have always been preceded by adequate and sufficient inquiry. Previous to the disestablishment of the Irish Church, previous to the alteration of the Lectionary, you had such an inquiry; and the very fact that my noble Friend and we on this side of the House differ so widely as to the effect of the Bill, and as to whether the 4th clause affords an adequate protection from religious instruction, is in itself sufficient to show that inquiry is



necessary before we proceed to the second reading of this Bill. I should like the House to listen again to what my noble Friend believes to be a security for religious worship and instruction. The 4th clause provides that

"Nothing in this Act shall interfere with or affect—any further or otherwise than is herein expressly enacted—the system of religious instruction, worship, and discipline which now is or may hereafter be lawfully established in the said Universities respectively, or in the Colleges thereof or any of them, or the statutes and ordinances of the said Universities and Colleges respectively relating to such instruction, worship, and discipline."

Of course, we are asked to assume that the Bill does what it says it does; and, consequently, my noble Friend tells us that it secures religious worship and instruction. I do not differ from the Preamble; but it certainly does not appear to me to be an extravagant thing to ask that, when we are called upon to pass a measure professing to be in conformity with the Preamble, we should take means to inquire whether that conformity is real or not. It appears to me that we are called upon to alter a system which has existed for centuries, and to introduce in its place one of which we know nothing. Surely, the mere circumstance that we are called upon to do this—and called upon to do it in opposition to the strongly-expressed opinion of the majority of those bodies with whom the Bill deals—is a sufficient ground for granting the inquiry for which I ask. I would only put it to your Lordships as a question of alternative. Just as a matter of hypothesis, compare the risk of the two courses which you are called upon to take. It may be that we are wrong—it may be that the Bill does provide, as it professes to do, sufficient security for religious instruction and worship. In such an event, what evil will have been done by referring the matter to a Select Committee? The truth will come out in due time; and, by adopting the course I recommend, your Lordships will adhere to your ordinary traditions and precedents of legislation, and you will legislate with all the more confidence because you will legislate carefully. But suppose, on the other hand, that our anticipations are well-founded, and that this Bill is about to cut the link between religious and other instruction in the Universities, I ask you to consider the evil

which would be caused by hot precipitation. You will have inflicted evils which are absolutely irreparable; you will have deprived the people of this country of their most efficient instrument for sustaining the Christian faith, and for upholding Christian morality; and you will have despoiled the Universities of that which has been for centuries their chiefest honour, and which is now their most endearing claim to the affections of the people.

Amendment *moved*, to leave out from ("that") to the end of the Motion, and insert the following Resolution, viz. :—

"In any measure for enabling persons not members of the Church of England to hold offices to which they are not now eligible in the Universities of Oxford, Cambridge, and Durham, and the Colleges and Halls in those Universities, it is essential to provide by law proper safeguards for the maintenance of religious instruction and worship and for the religious character of the education to be given therein."—(*The Marquess of Salisbury.*)

THE BISHOP OF OXFORD: My Lords, being so closely connected with the University of Oxford, I think I need not apologize to your Lordships for making a few remarks on this important subject. I am the more anxious to do so because I feel that, notwithstanding what the noble Marquess the Chancellor of the University has said, it is my duty to vote against the Amendment which he has just proposed. I am quite willing to admit that there are many reasons why I, and I suppose many of your Lordships, should regret that there is any necessity for this measure; but my regrets go farther back than most people's. I not only regret that it should be necessary to bring in a measure for the abolition of tests, but I regret that it was ever necessary to enact them. I am very sorry that a state of things should ever have existed in England, rendering it necessary to provide on behalf of one part of the country against the admission of another part to any privilege to which all seem to be *prima facie* entitled. If all had been of one mind—if all the subjects of the Crown of England had been members of the Church of England—the tests would have been unnecessary; but it was in view of religious divisions that tests were enacted, and it is in view of religious divisions that it is now sought to repeal them. There is little doubt public opinion supported their introduction, and there is no doubt

that, at present, public opinion supports their abolition. It is folly, then, on the part of either branch of the Legislature—for I make no distinction between them—to attempt to resist the mature political conviction of the country when it has been clearly expressed; and if it be the verdict of public opinion that all Englishmen shall have equal right to the endowments and honours of the great Universities, it is folly to resist this verdict, and to go on upholding a succession of untenable posts until you have no longer the power to dictate the terms of your surrender—while the very fact of your resistance is calculated to diminish the weight of your advice, or, perhaps, to preclude you from giving it in all subsequent consideration of the question. Yet this is what we should be doing if we adopted the Amendment. I cannot regard that Amendment as other than an attempt, for the present Session at least, to defeat the Bill, and I cannot see that the Committee the noble Marquess asks for would in any way affect the conclusion to which your Lordships are invited to come. I can think of nothing into which that Committee would inquire which is not obvious to the minds of all who know anything of those who are resident in the Universities. I admit there are very strong opinions in the Universities against the measure; it was only yesterday I was told that if I voted for this Bill—this accursed measure, my correspondent was pleased to call it—I should lose every friend I valued in Oxford. I have a better opinion of Oxford—I have a better opinion of my friends than to be intimidated by that threat. And now, if your Lordships will allow me, I will give you my reasons for supporting the Bill. As I understand it, the Church of England is face to face with a new order of things. The Church of England is face to face with the conviction of the country that the Universities are to be opened; and it seems to me that it would be wisdom on the part of the Church frankly to accept the situation, and, as far as she may, to guide and control the movement. It is vain for the Church to cling to Acts of Parliament in matters of this kind. The noble Marquess (the Marquess of Salisbury) has said that this Bill contains provisions on behalf of religion which are illusory and sentimental. I cannot see that the Bill is to enact anything which would pre-

vent the Universities from maintaining their religious character. The present tests have no effect in maintaining the religious character of the Universities. There are Colleges at Oxford at this moment where a candidate for a Fellowship, known to have strongly religious sentiments, would have no chance against a latitudinarian competitor. There are Tutors at these Colleges, who make no secret of entertaining views hostile to Christianity; the present tests do not restrain them. If I were to choose between a Freethinker and a pious Dissenter, in electing to an office of influence in the University, I should choose the pious Dissenter. [“Hear, hear!”] I thought this Bill was to admit the Dissenters—[A noble LORD: “Not the Freethinkers”],—and I do not see that their admission would so seriously affect the Universities as some people think. I would even say that in point of morality and sobriety some Colleges may be usefully affected by an element such as I have described. The noble Marquess speaks in his Amendment of “safeguards in law;” but as protectors of religion it seems to me these standards fixed by law do more harm than good. No religious teaching is forbidden by the Bill—it was not the intention of its authors to forbid it. Some have said it would be improper under its provisions even to say grace in College hall; but, so far from that, as I read it, the Bill would allow the restoration of the old College practice of reading a good book during meals if the Society wished to restore it; and surely the noble Marquess does not mean to say we shall not, if the Bill is passed, elect Christians to be Fellows. We mean to uphold Christianity not in spite of this Bill, but by virtue of this Bill; we mean to uphold Christianity, because the Bill leaves us perfectly free to uphold it, more free than under the false system of the present time. I do not cherish any illusions. I do not suppose that when this Bill becomes law Dissenters and Churchmen will all immediately live at peace. I am very well aware—more so during the past few weeks than before—that a great number of men who, I suppose, love religion much hate the Church a great deal more, and with regard to them I do not suppose this Bill will tend to produce amity; but the influences of what



is called extreme political Dissent are not the influences which prevail at the Universities. They have their spheres in vestries and election committee-rooms, not in academical Senates and Convocations. The pious Dissenter who really values learning and religion is the man who will come in under the Bill. I claim the same credit for honesty in holding my opinions as is claimed for those from whom I differ. I believe that religion will prosper as much without these tests as under them; and I ask noble Lords who oppose the Bill not to think that we who support it are given up to wicked imaginings, but are as honest and true friends of religion as themselves, and as determined to maintain it in its integrity and at all hazards.

THE BISHOP OF GLOUCESTER AND BRISTOL said, that though he concurred in much that his right rev. Brother had said, he could not but think that the whole tone of his address sounded as that of one who receded step by step before the foe. Whatever views they might take up on this question, they should regard each other as honourable and honest men who differed on certain points, and who were moved by a conscientious desire to do what was right; and, therefore, he was not prepared to regard those upon whom they were seeking to confer privileges as hostile. He confessed frankly that he was prepared to stand by the Amendment of the noble Marquess—not with a view of gaining time, which, in many cases, meant gaining time in following a disastrous cause; but the time they were now seeking to gain was a proceeding based on considerations of the deepest regard for religion. The whole tenour of the remarks he was then making turned upon his feeling that this Bill would not conduce to the best interests of religion, although he was satisfied that that was not the belief of those who had introduced the measure, and who appeared to regard the safeguards it contained as sufficient to protect those interests. The proposal of the noble Marquess (the Marquess of Salisbury) was that an opportunity should be afforded for eliciting the opinion of the country upon the subject, so that that opinion might be ascertained with something like certainty. With regard to the question whether Dissenters should be admitted to our Universities or not,

*The Bishop of Oxford*

he should take a very different tone from that of his right rev. Brother. There were three arguments why Nonconformists should be admitted to the Universities. The first was the great argument of common sense; the second was, that having conceded privileges to the Nonconformists long ago further privileges must be conceded to them; and the third was, that the larger half of the Nonconformists had proved themselves worthy of those privileges. There was, however, another argument that came more nearly home to themselves, and that was the argument of feeling. That very day he had spent six long hours in a circumscribed chamber not 100 yards from that House, round the table in which were grouped Nonconformists, mingled with the dignitaries of the Church of England; and he felt that it was a duty to extend to men, who had proved themselves worthy, the opportunities of the highest culture. Therefore, upon the question of feeling alone, he should be disposed to admit the Nonconformists into the Universities. There was, however, one very plain and distinct point to which he wished to draw attention—and that was, whether the Bill, in proposing to open the door to the Nonconformists—to whom he would willingly concede entrance—would not also open the door to the Freethinkers, the Secularists, and to those who at this moment were endeavouring to strike down religion under their feet? If their Lordships were of opinion that the Bill would have that effect, it became their duty, as plain, simple, earnest men, to fall back upon the Amendment of the noble Marquess, which suggested that they should pause before they entered upon such a rapid and downward course, and decline to proceed until they had ascertained whether the serious fears that were entertained with respect to the security of religion were or were not well founded. Having said thus much upon the general question, he now came to consider the matter in detail. It was evident that the measure contemplated certain results; but those results were stated by those who were attempting to legislate upon this subject to be fully counterbalanced by certain safeguards. He would proceed to inquire, in the first place, whether the results which it was anticipated would follow the Bill were formidable in their character; and, secondly, whether the safe-



guards were or were not sufficiently strong to resist the apprehended evil. If he could establish the formidable character of those results and the insufficient nature of the safeguards, he should have some ground why the proposition of the noble Marquess should be entertained. He would test the Bill by the effect it would have first upon the Colleges and then upon the Universities. When a young man entered the College he was brought into the immediate control of the tutor; the Dean of the College, who looked after his morality and his attendance upon public worship; and, thirdly, the Master of the College. Under this Bill the Tutor might be not only a layman—to which he had not the slightest objection—but a man who had no creed whatever, and one who would pass by with almost a sneer all sacred truths. Again, what would be the feelings of the youth if the Dean of the College, who more or less superintended his moral bearing, and the Master of the College, were habitually absent from public worship and treated religious matters with levity? The way that the Universities would be affected by the Bill was this—There were at Cambridge four Professorships, the first of which must necessarily be held by a clergyman of the Church of England, and the holder of the second, being elected by the Bachelors of Divinity, might be assumed to be a religious man. The holders of the Norrisian and the Hulsean Professorships were, however, elected by the General Congregation, and might be men of no religious belief whatever, as far as the terms of the Bill went. Much had been said of the 4th clause; but the 5th clause had not been sufficiently alluded to. All the sting of the Bill lay in that clause, and in Christian fairness the two clauses ought to be read together. By that clause certain Acts of Parliament were repealed in whole or in part. Part of the Act of Uniformity was repealed, and the consequence would be that the Colleges might make what alterations they pleased in the celebration of Divine service; because it was hardly to be supposed that the recommendations arrived at by any of the Colleges would be refused by the Queen in Council. Therefore, he feared that disastrous changes would follow on the passing of this Bill, and he claimed on behalf of not only sons of members of

the Church of England, but for the sons of Nonconformists, that care should be taken to prevent such consequences, for they could not be afterwards removed by Amendments made in that House. He was anxious that the Committee should be appointed for the ulterior purpose of leading to the introduction of a broad and comprehensive measure, that should deal with several matters in the Colleges needing reform. As an illustration of the points to which he referred he might ask whether it was fair that young men obtaining Fellowships should take hundreds of pounds away from their University, while they prepared at a distance for Parliamentary life, or some other pursuits, and never return anything to their *Alma Mater*? In this and other matters reform was necessary, and therefore he was in favour of a full consideration of the subject.

THE BISHOP OF EXETER: My Lords, it must be a great satisfaction to those who have watched the growth of feeling with regard to this question for so many years, to find that the country and the Legislature have at length come to one point, at any rate, on which all men seem to agree. All seem to be agreed that it is no longer possible, and no longer right to exclude from office and emoluments in our great Universities those who conscientiously are not members of the Church of England. The question, when we have come to that point, is not what shall be done, but how shall it be done? I think, my Lords, we ought not only to pass this Bill, but pass it with the least possible delay. I am confident that, for the interests of truth and justice, and, emphatically and above all, for the interests of the Church of England, delay would be a serious mischief. It is mischievous that we should be, day by day, alienating from that Church the affections of many of her own sons, and provoking still more the hostility of those who are without her pale. We are constantly alienating the affections of those who belong to us, who were brought up in our own communion. Many who were taught the doctrines of the Church of England find these tests a very heavy burden to bear. Many are lost to the Church because we require of them what their consciences will not accept. When a young man carries off a Fellowship, and signs the necessary declaration, it often

occurs that he is vexed in conscience by all manner of questions which it would be much better to allow him to put aside, and consider calmly and deliberately, and without anything depending on his decision. But by the very nature of the case, he is obliged to settle such questions for himself at once, or forfeit the character of an honest man. When he proceeds to examine them, he is all the while tormented with the thought that possibly he may be doing wrong in retaining his Fellowship at all; and, at the same time, he is prompted to come to a conclusion years before he ought to do so, from the fear that he should otherwise be dishonestly holding his place. It is no trifling thing to put a young man in such a difficulty. The result is, that either he retains his Fellowship in spite of doubts and to the injury of his conscience, or, finding that the scales are unfairly weighed, and seeing that it will be impossible to decide a question in which his personal interests are involved, he throws up his Fellowship and stands aside. From that day forward his mind has received a fatal twist, and he may be unable for ever after to forget how he had been treated at such a critical time. If left to himself these questions would be settled in a legitimate manner, by his quietly thinking over them until the conclusion to which his conscience would lead him should be quite clear to his understanding. Whilst, however, he is called upon to decide under such circumstances as exist at present, it is almost inevitable that difficulties should arise like mountains before him, and that doubts which were in reality hardly worth considering, should appear insurmountable obstacles, and, in this frame of mind, you call upon him to decide what must affect the whole future tenour of his life. He knows perfectly well that, as far as the duties of a Tutor are concerned, there are many subjects which he can teach without troubling himself about these points. But now, if he is a mathematician, and wants to teach mathematics; if he is a Greek scholar, and wants to teach Greek; if he is a student of Natural Science, and wants to teach Natural Science, he is compelled long before he is fit for their decision, to decide for himself the most momentous questions that can possibly be put before anyone to determine. I do not mean to

say these tests may not have been of use in protecting the Church in the Universities in other times. At a period when there is no great amount of speculation going on, when people are not eagerly bent on the pursuit of the most difficult truths, when the intellects of men are, as it were, stagnating, then certainly it is quite possible to turn out one or two restless spirits who choose to depart from the ordinary line of thought, and to keep the rest of the University quite quiet. But, as it is now, these tests, so far from keeping out anybody, are absolutely of themselves, to a great degree, the very cause why there is so much mischievous speculation going on in young men's minds. They are forced to consider these questions, and even if they would leave them alone, as many of them would be disposed to do, they have no choice in the matter. I speak from experience, and I say I am sure that, as long as this state of things continues, the Church of England must suffer, and suffer in a way which it is most difficult to meet. They may be a few who are thus compelled to enter into these speculations and decide for themselves; but they are the very pick of the Universities—the very men who are to lead their fellow-men; and to lose one of them is a matter of grievous consequence. Very often I would rather sacrifice the endowments of the Universities altogether than lose the men who are sometimes lost through the present system. Meanwhile, my Lords, what is the impression we are making on those outside of the Church. The Bill is rejected; a year is lost; then it comes before us again, and now once more it is proposed to postpone it. Will the Dissenters really believe that this is done for no other purpose than simply to provide safeguards for religion, when they are put off year after year, and when they know perfectly well that all who have anything to do with the question have had plenty of opportunities of studying it to the bottom, and ought to know by this time what kind of safeguards they require? It is said the Bill does not contain sufficient safeguards. What kind of safeguards are we to have? Are we to devise new tests? [“No!”] We are not to require these men to be members of the Church of England! Are we to require them to hold some new religion to be invented by the Legis-



lature? What sort of restrictions are we to have? How can we provide anything that is not provided already? The safeguards contained in this Bill are the very kind which these postponements put in peril. You have these safeguards—that a certain number of the Headships of Colleges and the clerical Fellowships are protected by the Bill at present. ["Oh!"] Certainly, the Heads of Colleges are open by the Bill in as far as they are laymen without any restriction; but I do not see that it anywhere opens them in as far as they are clergymen. Therefore I say that this, which is one of the safeguards in the Bill, still stands—that the clerical Heads of Colleges still remain; and I say this is one of the very safeguards that you put in peril by delay. Anyone who watches the course of feeling in this country will see what is the popular instinct in these matters. That popular instinct endeavours, as far as it can, to provide for religion everywhere; and, thank God, the people of England happily are still truly religious. The people still desire that there should be religious instruction. But they constantly see that those who have charge of that religious instruction contend so bitterly among themselves, that it is hardly possible to contrive that it shall be provided through their means; and the tendency of the popular mind is at last to say—"We will have nothing to do with religious instruction at all; we must come down to that about which there is no such bitter contention, and have a purely secular system." The country is, I believe, now opposed to a secular system, and will only be driven to it by finding it impracticable to bring about some agreement among those who have the charge of religious instruction. But that is the road we are going. Now this Bill still protects the clerical Headships of Colleges and the clerical Fellowships. But wait another year, and the chances are you may then find that the clerical Fellowships and the clerical Headships of Colleges are gone too. This is no menace. It is not a thing that I desire, nor do I believe the Government desire it; but it is the irresistible current of popular feeling; and I am quite sure you will put in peril the remaining safeguards of religious instruction if you allow this Bill to wait. What is it, I ask, that we are to wait for? I do not wish to speak with any

disrespect of what was said by the noble Marquess (the Marquess of Salisbury) or by the right rev. Prelate (the Bishop of Gloucester), but it really seems to me that the fears they have expressed are almost ludicrously exaggerated. What are we to be afraid of? That one or two clever men should set themselves up in the University to give infidel teaching. The right rev. Prelate is afraid that even although he has his own choice of the College and the University, though he may select which Head of a College he will intrust his son to, and which Tutor he will put him under for instruction, it will be quite impossible to find any Head of a College or any Tutor who is to be entirely trusted to teach him as he would wish. The noble Marquess fears that we are to have an infidel propaganda of one or two able men that will sweep the religious teaching of the Universities away, and seems to think that we must invent some new test to meet that danger. My Lords, it appears to me that to fight the battle of truth now with these old tests is very like endeavouring to fight a battle between soldiers with the armour of the Middle Ages. These tests are, in reality, far more hampering than helping. There is no question that the atmosphere of truth is freedom, and that it is quite inconsistent with narrowness and exclusiveness. If you will only remove these tests, I, for one, have no fear of what can be done by the Church of England. It could fight its own battles without fear or favour. I have no fear that any infidel propagandism would prevail against the power that will be there to meet it. Nay, I am quite sure that nothing could be better for truth than that that infidel propagandism should have an opportunity to come forward into the open and show exactly what it thinks and to fight face to face. As it is now, what happens with all your religious teaching? There is a perpetual sense in the minds of the learners that they are not really hearing what their teachers themselves believe. There is the perpetual feeling that the teachers are tongue-tied—["No, no!"]—the perpetual feeling that a man is not saying exactly what he thinks. ["No, no!"] I am not at all saying that this feeling is just—that is another matter; but I know there is a kind of suspicion which constantly poisons the teaching of the Universities,



simply because there is a feeling that men are not allowed to be perfectly honest through these tests to which they have submitted. Men are frequently found unwilling to speak to each other about religious subjects, because they have a fear that it is not possible to do so with perfect freedom and openness. Thus a most unhealthy reticence or reserve is practised where there ought to be entire plainness and frankness of speech. ["No, no!"] Those who say "No, no!" express no doubt what they feel in regard to their own University; and I am glad to know that what I have described is not the general character of Oxford and Cambridge. But although the general character of these two Universities is still sound and excellent, yet there is this poison creeping into all their life and doing them the most terrible mischief. I hold then, my Lords, that this is not the way to fight the battle. On this occasion let us rather throw aside all those ramparts which have been erected to protect the truth, but which have very often been made the prison walls within which she has languished, and let us call upon religious men from all quarters to come in and bear their part in the battle, in which we should be glad to have their aid. It is said we shall do little to conciliate the Dissenters by admitting them into the Universities. My Lords, I believe we shall do much. Pardon me if I speak warmly of my own University. It is impossible for a man who has learnt much in that University not to feel that no words can express the depth of his affection or the strength of his conviction of her power to extend to others the blessings which she has conferred on himself. And when those now outside of her pale are introduced within it, will they be insensible, my Lords, to what we have all felt so keenly? Will they not be touched with something like the love that we have cherished for our own Universities? Will not that have some effect in softening down their asperities? The sooner we Churchmen invite them to join us the better, for we shall find them, I am quite sure, such allies that there will not be the slightest reason for what I cannot but think the bugbears held up to frighten us by those who advocate delay.

THE ARCHBISHOP OF YORK: My Lords, I regard this Bill not as an attack

*The Bishop of Exeter*

on the Universities, but as an endeavour to redress a state of things which it is now acknowledged on all hands requires to be redressed. Ever since the year 1854, when you admitted, but very grudgingly, the Nonconformists to a share in the education of the great Universities, this question has pressed upon you to be disposed of. I well remember that the first step taken by my own University, and taken to my great regret, was to narrow the very narrow privileges conferred by the Legislature, by providing that no Nonconformist should enter the University save to receive his education under a clergyman of the Church of England. It has always seemed to me, as it seems now, that one of two things must happen—either that the Nonconformists must be excluded on the ground that the Universities belong entirely to the Church of England, or else that they must be admitted to a real and substantial share of every advantage the Universities possess. Well, how does the case stand at present? Two men side by side receive the same education, employ the same diligence, and obtain the same honours; and you say to them—"You must sign the tests, and then you will find a place open to you of considerable emolument, which generally lasts for life." One of them signs, and the other refuses. But it does not follow that you have got the bestman, or that the hand that signs carries with it the heart and the head that thinks and believes; while you have committed an injustice, and failed in your object. I admit that the endeavour to redress this state of things does involve a certain hardship, and shocks the feelings of many. But I find, on the other hand, that there is not one on either side your Lordships' House who has undertaken the question, who does not admit that we must give to the Nonconformists a substantial share in the emoluments of the Universities. The noble Marquess (the Marquess of Salisbury) admits it in the very terms of his Motion; and the noble Earl (the Earl of Carnarvon) who opposed the measure last year admitted it, because he suggested that one-half of the Fellowships should be appropriated to Nonconformists. And this suggests to my mind that when the measure appears next year, perhaps in a more severe form, we shall accept whatever it may be that is proposed. Therefore I must either ac-

knowledge that some substantial advantage would arise from acceding to the Motion of the noble Marquess, or else vote against it. I am quite sure, my Lords, that no substantial advantage can follow from sending this question to a Select Committee. We know there is no question in the whole circle of the political field that we understand more clearly—none that comes more home to us. And I do not know why the noble Marquess calls that “sentimentality” which occurs in the 4th clause, when it appears very good argument in his Resolution. That clause provides that the Colleges shall be secured as places of religious education; and what more do you require than that? There are defects no doubt in this measure; but these defects are not to be cured next year by a Committee such as the noble Marquess proposes, but by discussion in Committee of the whole House sitting this year, and while the subject itself and all the arguments for and against it are fresh in our minds. Let us try, my Lords, as a practical question, what will be the result to the Colleges of Oxford and Cambridge. The noble Marquess has drawn a terrible picture of a number of persons meeting together and electing a Fellow by a purely intellectual standard. Then what is the use of tests if you are to elect by an intellectual standard? Because the statutes say you are not to elect by such a standard, but that those who are to be elected must be fitted by religion, by learning, and by morals. If that injunction be systematically ignored, what is the use of restrictions? Besides, in all the Colleges half of the Fellows are clerical, and does the noble Marquess imagine that these gentlemen, with clergymen at their back, will elect persons who will turn the Universities into places of infidel education? What, then, is the use of tests?—because all these clerical Fellows have been tied up as strictly as possible by tests at the time of their ordination. My Lords, let us take a more practical view of the change proposed. For my part, I do not welcome it—nobody who who has lived in Oxford, as I have done, is likely to do so; but we must take a practical view of it, and I must say I do not believe that the change that will be wrought in the Universities will be very considerable. There is as great a divergence of opinion in Oxford at this moment as in your Lord-

ships' House. The tests have not succeeded in keeping out revolutions of thought in Oxford, and the abolition of tests would not increase those revolutions. My Lords, I will not trouble you at greater length. I am connected with Oxford as Visitor of one of its Colleges, and as having lived a great part of my life and spent all my happiest days there. It is the birthplace of my children, and the place where I hope they will be educated, and I would not inflict an injury on a University for which I entertain so strong a feeling of affection. But I am convinced, my Lords, that things have come to this—that the wisest and most prudent, as well as the most just course, is to pass some Bill at present, and not by means of illusory promises to defer to a future day, amid acrimony and irritation, the settlement which must surely come, and to which I foresee that your Lordships will one day accede.

On Question, That the words proposed to be left out stand part of the Motion?—Their Lordships *divided*:—Contents 83; Not-Contents 97: Majority 14.

*Resolved in the Negative.*

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 Zouche, L.

Then it was moved, To insert the words of the Amendment.

EARL DE GREY AND RIPON said, he would offer no opposition. The noble Marquess had sketched in his speech the principles on which he would found his securities, and his Bill would probably be in accordance with them. He would offer no further opposition, but would say Not Content to the Resolution.

Then the said words inserted.

Then it was moved—

“That a Select Committee be appointed for the purpose of inquiring into the best mode of giving effect to the foregoing Resolution.”

EARL GREY said, that before this Resolution was agreed to he asked their Lordships to seriously consider what advantage was to be derived from the course proposed. Opening the Universities to Dissenters might be a good or a bad thing—in his opinion, it would be for the happiness of the Church; but if their Lordships proceeded upon the assumption that the admission of Dissenters required to be guarded by certain precautions, as regarded religious instruction, he asked them, as reasonable men, whether to refer the question to a Select Committee was a probable mode of arriving at a satisfactory conclusion, as to what those safeguards ought to be? If safeguards were necessary—and if they could be devised—would it not have been in the power of the noble Marquess, who held a high position at Oxford, to have consulted with the leading members of that University, and to have devised some measures which would have accomplished his object? Those measures he could have placed before the House. Was it because he was unable to devise safeguards that he asked their Lordships to send the subject to a Select Committee? And did the noble Marquess think that a Committee, composed of men of various and clashing opinions, with no scheme laid before them, would be likely to form a correct notion of what safeguards there ought to be? He thought the appointment of a Committee would be an idle, not to say a mischievous, step; and he trusted that his noble Friend (Earl de Grey and Ripon) would give their Lordships an opportunity of expressing their opinion on this part of the question.

THE MARQUESS OF SALISBURY said, he did not wish it to be understood that



he had no recommendation to propose, but he would rather have a scheme which was approved by a Select Committee than one which was only suggested by himself; and, further, he desired that there should be placed on record, by means of the testimony of witnesses, the grounds on which the Select Committee made their recommendation. If he brought forward a proposition on his own authority only, he would not have those strong and valid reasons with which he would be furnished by the Report of a Select Committee, and the evidence of the witnesses whom they examined.

EARL GRANVILLE said, in the course of this debate he had heard many remarkable speeches for and against this Bill; but he was bound to say that up to that moment he had not heard a single argument in favour of the plan of referring this question to a Select Committee, which his noble Friend (Earl Grey) had so strongly denounced. What was this Committee to inquire into? Was it proposed that the Committee should inquire whether infidelity existed now in the Universities, and to what degree — and whether doubts, discussions, and extreme opinions prevailed at Oxford? Or would the Committee inquire into what tests could be suggested? The noble Marquess had not told their Lordships what new test he thought it would be wise and expedient to offer to the Committee; and did he really mean to invite them to appoint a Select Committee to consider certain clauses of the Act of Uniformity, on which every educated man, both in and out of the House, had already formed his opinion?

EARL RUSSELL said, the measure appeared to him an ingenious device to separate what the noble Marquess called the Protestant Dissenters from the great body of Nonconformists. Now, if he had any knowledge of Protestant Dissenters, he believed that no such bribe would be accepted. The noble Marquess might frame a test with that object; but he felt convinced that the Dissenters would never enter the Universities under such degrading conditions.

THE BISHOP OF LLANDAFF said, that in her very wise regulations for the government of Trinity College, Cambridge, Queen Elizabeth included an oath for the young men appointed to scholarships, probably in order to protect them from being embarrassed by the doubts and

difficulties that were then rife. It simply required a declaration on the part of these young men that they embraced the Christian faith and preferred the written Word of God to things that were unwritten. A Select Committee might adopt some such test, which would admit all orthodox Nonconformists, whom all were anxious to admit, but would exclude those who had no creed at all. He hoped their Lordships would agree to the appointment of a Committee, in order that it might be ascertained whether some simple acknowledgment of the Christian faith would not answer the object the noble Marquess had in view.

THE DUKE OF SOMERSET said, all that the proposed Committee could do had been done already; information had been given, and the subject was thoroughly known. He remembered a case where a noble Duke obtained a Committee on a Bill; but after a few witnesses had been examined he went out of town, and the Bill was thus conveniently shelved. He wished to know, therefore, whether the noble Marquess would stick to his Committee after he got it?

THE BISHOP OF LINCOLN said, he had the honour of being the Visitor of Colleges in both our Universities and also of the greatest public school in England and the world—the Royal foundation at Eton of King Henry VI. Consequently he had a public duty to perform towards those institutions, and he must express his strong conviction that the subject of the safeguards for religious instruction and worship in the Colleges of our Universities ought to receive a sifting inquiry at the hands of a Select Committee. He held in his hand a communication he had received from the head of a College in Cambridge, who had occupied that position for 23 years, who, in the course of 22 years, had thrice been Vice Chancellor of that University, and had displayed great ability in the administration of academical affairs, and had proved his disinterestedness by declining the highest dignities in the Church of England. The writer declared—

“The Bill speaks of safeguards for the maintenance of religious instruction and worship in Colleges; because it does not allow such Fellowships as are now restricted to clergymen to be held by laymen, or by persons who are not members of the Church of England; but the fact is that in some of the Colleges at Cambridge very few of the Fellows are required to take Holy

Orders; and, therefore, if the Bill become law, a very large majority of the Fellows of the Colleges might be non-Churchmen, including Jews, Mahomedans, and even avowed Deists and Atheists. Besides, in all the Colleges the obligation to Holy Orders rests only upon College statutes, and these College statutes at Cambridge,"—and the same, my Lords, is the case at Oxford with the consent of the Visitors,—“may now be altered at any time by the Queen in Council on the petition of a portion of the Fellows; so that there would be no safeguards whatever, if the Bill become law. Also, by Clause 5 of the Bill, one of the provisions of the Act of Uniformity—namely, Clause 13—is repealed; and, consequently, any religious or anti-religious services might take place in the College chapels generally. The College statutes at present require the daily performance of Divine service according to the forms in use in the Church of England, but they do not prohibit any other. I will not believe that such a provision as this can become law; if it should become law, there would be a precedent for using the parish churches and cathedrals in England for Popish Mass, or for any other rites and ceremonies.”

Such was the language of that distinguished person. He believed that the supposed religious safeguards in the Bill would prove illusory and worthless. This showed the need of careful examination into the subject. It would be the duty of the Select Committee to provide adequate securities. His right rev. Brother (the Bishop of Exeter) appeared to regard the Colleges and Universities merely as places where gifted young men might gain intellectual prizes and distinctions. He seemed to consider them as existing mainly for the benefit of the few who gain scholarships and Fellowships there. He (the Bishop of Lincoln) looked at them in a different light. They did, indeed, afford stimulants to literature and science, and were greatly to be honoured on that account. But their noblest function was to be seminaries of sound learning and religious education for the English nation, in the principles of the English Church. He spoke in the interest of parents when he expressed his belief that safeguards were necessary to prevent the Colleges being made schools of scepticism or seminaries of superstition. It might be said, perhaps, that this was the language of exclusive bigotry; but he would remind their Lordships that one of the most arbitrary monarchs who ever sat upon the throne of England used the abolition of tests as a means of introducing Popery into both our Universities. King James II., professing a zeal for toleration, and for the abolition of all religious tests and subscriptions, sent a Popish Bishop to be President of

*The Bishop of Lincoln*

Magdalen College at Oxford, and to Cambridge a Benedictine monk; and let their Lordships remember who the persons were who, at that time, the year 1686, came forward to maintain the tests and religious safeguards of the Universities and Colleges. Were they intolerant bigots? Surely not. One of the foremost among them at Cambridge was a person whose name shed the brightest lustre on the science and philosophy of England and the world—the immortal Isaac Newton. Unless adequate religious securities were maintained, the youth of the country would run the risk of being brought under the influence of unbelievers, or of those whose seductive arts lead them into another Church. He therefore earnestly supported the proposal of the noble Marquess.

On Question?—Their Lordships *divided*:—Contents 95; Not-Contents 79: Majority 16.

*Resolved in the Affirmative.*

Committee appointed accordingly.

And, on July 21, the Lords following were named of the Committee:—

|                 |                         |
|-----------------|-------------------------|
| Abp. York.      | E. Harrowby.            |
| Ld. President.  | E. Morley.              |
| D. Somerset.    | E. Beauchamp.           |
| D. Marlborough. | Bp. Gloucester and      |
| M. Salisbury.   | Bristol.                |
| E. Cowper.      | L. Colchester.          |
| E. Stanhope.    | L. Stanley of Alderley. |
| E. Carnarvon.   | L. Lyveden.             |
| E. Powis.       | L. Houghton.            |

And, on July 22, The Lord Rosebery *added*.

TRAMWAYS BILL—(No. 194.)

(*The Earl of Kimberley.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD REDESDALE said, he had given Notice of an Amendment which he proposed to move on the Report, extending the term of the concession to be granted to promoters to a period not exceeding 63 years, at the end of which term the tramway was to be given up in a good condition to the local authority. The information at present possessed upon the subject of tramways did not warrant the conclusion that they would be an unquestionable success; indeed, the Report which had been made to the War Department upon the subject of road-traction engines showed that conveyances of that kind would very soon come into general use. The Re-



port to which he referred stated that an omnibus was now being constructed with india-rubber wheels, to carry 65 passengers, and could be easily adapted, both in size and power, to carry a whole company of infantry, and run over the road at from six to ten miles an hour, at a cost of wear and tear, including depreciation of plant, of 2*d.* per ton per mile. This would be a great competitor with the tramways, and the promoters of such schemes should bear in mind what a formidable rival was likely to come into competition with them.

THE EARL OF KIMBERLEY said, he was not prepared to offer any opinion on that part of the Report to the War Department to which the noble Lord had referred; but he thought that the fact that a large number of persons were willing to invest their money in tramway schemes, and were anxious to carry them out, was sufficient justification for granting them Parliamentary powers.

House in Committee.

New clauses *added*, one authorizing the Board of Trade to issue a Provisional Order, under certain circumstances, authorizing the construction of a tramway where the local authority refuse their consent; the other authorizing the promoters of any tramway, which shall have been opened for traffic for a period of six months, to sell their undertaking to any person, corporation, or company, or to the local authority of the district.

Further Amendments made.

The Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 204.)

#### BENEFICES BILL—(No. 130.)

(*The Duke of Marlborough.*)

COMMITTEE. ORDER DISCHARGED.

Order of the Day for the House to be put into Committee, read.

THE DUKE OF MARLBOROUGH said, that this Bill had passed the other House of Parliament with singular unanimity, having been accepted generally on both sides of the House. Since, however, it had been read a second time he had heard grave objections to it expressed by several noble Lords on that and the other side of the House, who

represented to him that its main provisions ought to form the subject of a special inquiry. Under such circumstances, and in deference to the opinions thus expressed, he should propose to discharge the Order for going into Committee; and, early next Session, he should move for the appointment of a Committee of Inquiry on the matter.

LORD ROMILLY, referring to the observation of the noble Duke that the Bill had passed through the House of Commons with singular unanimity, said, he had no doubt of the truth of that statement, notwithstanding that the measure might be open to grave objections. Everyone who had had much experience of the House of Commons must know that it was a common practice in that House to pass a Bill through it without consideration, relying upon their Lordships to throw it out if it were an objectionable measure. From his own experience in the Lower House he declared he had heard it frequently said—"We will not go into this Bill as it takes up too much of our time. The Lords will be sure to throw it out if it be not a fit measure to enact." That was a practice that he believed was going on at that very day. He recollected Mr. Joseph Hume saying on one occasion—"Do not let us trouble ourselves with this Bill. The Lords will consider it, and if there be any difficulty involved they will have the assistance of the Judges, who are more competent than we are to remove it." The unanimity of the other House of Parliament in passing a Bill was rather a compliment to the vigilance and judgment of their Lordships than a reason for the adoption of the measure by that House.

LORD CAIRNS said, he was informed by some noble Lords who entertained objections to the Bill that, in consequence of its being moved at a very late hour of the night in the House of Commons it was passed without consideration.

THE DUKE OF MARLBOROUGH said, the noble and learned Lord was mistaken, for it was at a Morning Sitting of the House of Commons that the Bill was passed.

THE ARCHBISHOP OF YORK said, as there was a strong feeling in favour of the measure, he hoped the noble Duke would not lose sight of the subject that Session.

Order for Committee *discharged*.



## CATTLE DISEASE (IRELAND) BILL.

*(The Lord Dufferin.)*

(NO. 171.) THIRD READING.

Order of the Day for the Third Reading, read.

*Moved*, "That the Bill be now read 3<sup>d</sup>."—(*The Lord Dufferin.*)

THE EARL OF AIRLIE said, he did not want to obstruct the progress of the Bill; but he thought it was one which their Lordships should not allow to pass the final stage without further inquiry. The Bill had passed through the other House without receiving any discussion; and the second reading had been agreed to in their Lordships' House, and the Bill had passed through Committee without, so far as he remembered, a single word of comment. Now, he thought that if their Lordships had been aware of the nature of the measure, it would not have passed those stages without opposition. Its provisions seemed to have been drawn up entirely in the interests of the Irish cattle exporters, and all provisions against the importation of disease with the cattle had been ignored. Very careful regulations had been laid down guarding the importation of cattle into Ireland, but none with regard to exportation from Ireland. He had, therefore, placed some Amendments on the Paper by which he proposed to remedy these defects. Competent judges had declared that Irish cattle were subject to a great many diseases, and he thought it of importance that the exportation of those diseases should be guarded against as far as possible; and, therefore, he considered it only fair to England and Scotland that these Amendments should be introduced. Clause 2 required that cattle brought into Ireland should be provided with hay and water. No doubt, those regulations were very good; but there were no corresponding regulations in respect to cattle exported from Ireland; and, therefore, he proposed to introduce an Amendment into the clause to supply that omission. Again, large powers were given by the Bill to the Lord Lieutenant to prohibit cattle entering any Irish port from England or Scotland if he thought fit; but there was no analogous power whatever given in regard to the exportation of Irish cattle into England or Scotland. He, therefore, would propose an Amendment, to follow Clause

5, providing that cattle should not be shipped from any Irish port without a certificate as to their sound condition from the inspector of the port. Pleuro-pneumonia had been spread in this country by the Irish cattle brought over to Liverpool, Glasgow, and other places. Unless some such Amendment as he suggested were adopted, the owners of unsound or diseased cattle in Ireland would have every inducement to get rid of them by exportation to England and Scotland. He should be sorry that anything he might propose should have an injurious effect upon Irish landlords, but he did not believe the Amendments he should propose would have any such effect.

EARL SPENCER protested against the general attack made by the noble Earl on Irish cattle. He had never seen any proof that the Irish cattle were inferior to English or Scotch, or had more disease among them than any cattle moved from one part of Great Britain to another. He had no objection to the two first Amendments, but he opposed the third—the certificate system—as being wholly unnecessary. It would be unjust to bind down the Irish cattle trade by the severest restrictions by Act of Parliament—especially seeing that the Lord Lieutenant and the Privy Council of Ireland had ample power to issue such regulations as in their discretion they deemed requisite. The Bill now before the House put the Irish cattle trade in precisely the same position as the English trade was placed by the consolidated Act passed last year, and it would provide proper safeguards against cattle disease both in Ireland and in Great Britain.

THE DUKE OF RICHMOND said, it was not denied that there was disease among the cattle of Ireland now, and the introduction of this very Bill itself was some evidence of this fact. Why, then, should they not insist on the insertion of provisions which would prevent its spread to England and Scotland? He ventured to say, notwithstanding what had been said by his noble Friend the Lord Lieutenant of Ireland, that Irish cattle had brought disease to Scotland to a very serious extent. The noble Earl said that he had ample power by an Order in Council to deal with all cases of cattle disease. Why, then, had the noble Earl not exercised those powers?

EARL SPENCER said, he had meant to say that the Bill before the House would give him ample powers.

THE DUKE OF RICHMOND: The necessity of granting those powers was a good reason why this Act should be passed, and why it should not be confined to Ireland alone. The Bill would not, no doubt, place Ireland in a worse position; but how would it affect England and Scotland? That was a question worthy of consideration. He could not see what sound objection could be taken to the certificate system proposed by the noble Earl (the Earl of Airlie). It was in the interest of England and Scotland that there should be some such provision. The Amendment of his noble Friend was a very reasonable one; and, if he took the sense of the House upon it, he should vote with him.

LORD TALBOT DE MALAHIDE observed that the most diseased animal he had ever had he had imported direct from Scotland.

LORD DUNSANY hoped the House would not support the Amendment. The interests of the manufacturing population of Lancashire and West Yorkshire were quite as much concerned as Irish interests, and if the people of those districts were able now to buy meat at a reasonable price, it was owing to this—that there was some grass growing in Ireland, while there was none in this country. Pretty nearly every Monday's market at Liverpool was stocked by 3,000 or 4,000 head of Irish cattle, and three or four times that number of sheep, and did the noble Earl mean that for every one of these 4,000 cattle and 16,000 sheep a certificate must be obtained not only that they were sound, but that for a period of three months preceding they had not been in the way of any contagious disease? No veterinary surgeon could certify on view of the animal that it had not been for three months in the way of contagion.

Amendments made, Clause 2, page 1, line 24, after ("Ireland") insert ("or shipped from any port in Ireland to any part of England, Wales, or Scotland").

Clause 5, page 3, line 35, after ("Ireland") insert ("or ship or attempt to ship from any port or place in Ireland to any part of England, Wales, or Scotland").

An Amendment *moved*, after Clause 5, to insert the following Clause:—

"Any person sending cattle from Ireland to England or Wales, or Scotland, must produce a certificate to the inspector at the port of embarkation that they have not been affected with pleura-pneumonia, and have not been in contact with cattle affected with pleura-pneumonia for at least three months previous to the date of their embarkation; and the inspector shall require the production of such certificate in every case in which cattle are sent from Ireland to England, Wales, or Scotland."—(*The Earl of Airlie.*)

On Question? *Resolved* in the *Negative*.

Motion *agreed to*; Bill read 3<sup>a</sup> accordingly; Amendments made; Bill *passed*, and sent to the Commons.

#### PRAYER BOOK (LECTIONARY) BILL, *now*

#### PRAYER BOOK (TABLE OF LESSONS) BILL—(No. 202.)

(*The Lord Chancellor.*)

#### REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

THE EARL OF SHAFTESBURY again called their Lordships' attention to the fact that they were called upon to recite as a fact that the approval of Convocation had been given to the changes proposed in the Bill. What authority had the House for such a statement? No authority—no evidence had been produced to show that the approval of Convocation had been received by that House. As to other matters in the Preamble evidence had been given. For instance, they were told that Commissioners had been appointed by Her Majesty to inquire. There they had the fact that a Commission had been appointed. He thought the information should be extremely precise and official when they inserted any statement in the Preamble of a Bill.

Amendments made.

Bill to be read 3<sup>a</sup> on *Monday* next.

#### MAGISTRATES IN POPULOUS PLACES (SCOTLAND) BILL—(No. 143.)

(*The Earl of Airlie.*)

#### THIRD READING.

Order of the Day for the Third Reading, read.

*Moved*, "That the Bill be now read 3<sup>a</sup>."—(*The Earl of Airlie.*)

LORD COLONSAY said, the Bill cited that it was expedient that the senior police magistrates of towns and



populous places in Scotland which were placed under the Police of Towns Act should be placed in the same position with regard to the county as the Provoosts of Royal and Parliamentary burghs; and the Bill proceeded to provide that the chief magistrates of such places should be *ex-officio* Justices of the Peace and Commissioners of Supply for the county in which those places were situated; and as any number of contiguous villages might be combined together for the purpose of the Bill, if any portion of those places extended into two or more counties the magistrates would become Justices of the Peace and Commissioners of Supply for those two or more counties. That seemed to be a novel mode of creating magistrates; it was quite unprecedented, as far as he knew, and deserved the attention of Her Majesty's Government.

THE EARL OF AIRLIE said, the proposal had been approved not only by the present, but by the late Lord Advocate; it had been submitted to persons on both sides, and no objection had been taken to it.

Motion agreed to; Bill read 3<sup>a</sup>; an Amendment made; Bill passed, and sent to the Commons.

#### JUDICIAL COMMITTEE BILL [H.L.]

A Bill for enabling Her Majesty to appoint additional persons to be members of the Judicial Committee of the Privy Council; and for other purposes—Was presented by The Lord Chancellor; read 1<sup>a</sup>. (No. 212.)

House adjourned at half past Nine o'clock,  
'till To-morrow, half past  
Ten o'clock.

### HOUSE OF COMMONS,

Thursday, 14th July, 1870.

MINUTES.]—NEW MEMBER SWORN—Jacob Henry Tillett, esquire, for Norwich.

WAYS AND MEANS—considered in Committee—Resolutions [July 13] reported—Exchequer Bonds (£1,300,000).

PUBLIC BILLS—Ordered—First Reading—Stamp Duties Management \* [220]; Exchequer Bonds (£1,300,000)\*.

Second Reading—Sanitary Act (1866) Amendment \* [189].

Committee—Report—Elementary Education (re-comm.) [187-218]; Post Office (re-comm.)\* [183-219].

Third Reading—Juries \* [182]; Absconding Debtors \* [172], and passed.

Lord Colonsay

#### ROYAL RESIDENCE IN IRELAND.

##### QUESTION.

MR. STACPOOLE said, he would beg to ask the First Lord of the Treasury, Whether, having regard to the desire generally expressed in Ireland that there should be a Royal residence in that Country, Her Majesty's Government will propose to Parliament this Session a grant to purchase a suitable residence there for His Royal Highness the Prince of Wales?

MR. GLADSTONE: Sir, Her Majesty's Government have upon a former occasion—I think more than once—conveyed to the House that they are very sensible of the importance of the question of the personal relations between the Royal Family and Ireland. They still remain sensible of the importance of that question, and it will not escape their attention at what they may think the proper time. We do not intend, therefore, to make any proposal to Parliament during the present Session of the nature stated by my hon. Friend.

#### THE VIRGIN ISLANDS.—QUESTION.

SIR WILLIAM GALLWEY said, he wished to ask the Under Secretary of State for the Colonies, If he will lay upon the Table of the House Copies of all Correspondence or Papers relating to the Cession by this Country to Spain of Crab and Passage or Culebra Islands, in the Virgin Group of the West Indies, which took place about the year 1863; and, if he will state whether any, and if so what, consideration was received by this Country from Spain in exchange for those two Islands?

MR. MONSELL said, in reply, that for many years the Sovereignty of those two small islands was in dispute between this country and Spain. In 1863, after an elaborate inquiry into the respective titles of the two Governments, the title of Spain was recognized. The correspondence on the subject extended over many years, and he did not propose to print it; but as his hon. Friend represented private interests in the matter, he was at liberty to read over the Correspondence, and his course then would be to consult the Foreign Office, whether these private interests could be recognized by the Spanish Government. In answer to the second Question, he had to state that no consideration was received



by this country for the transfer of these two islands.

SIR WILLIAM GALLWEY said, he wished to know whether any communication has passed between the Colonial and the Foreign Office in reference to this matter?

MR. MONSELL said, he presumed that at the time the negotiation was in progress such a correspondence was carried on; and the result, as he had said, was the recognition of the title of Spain.

#### PARLIAMENT—CONDUCT OF BUSINESS.

##### QUESTION.

SIR HENRY HOARE said, he would beg to ask the First Lord of the Treasury, If in lieu of adopting the proposals of the honourable Members for East Surrey and Leicester, now before the House, he does not think the business of the Session would be more effectively performed, as well as the health and the patience of Members less tried, by the introduction of the ten minutes time principle, by which a no longer period for speaking would be permitted to any Gentleman other than a Member of the Government, an ex - Cabinet Minister, or the proposer of a Bill or Motion; and, whether it would not be advisable to curtail the right of initiative in Legislation now belonging to private Members, by necessitating the previous submission of their Bills to a Committee to be elected by the House, and which should decide as to the expediency of their introduction, or the contrary?

MR. HORSMAN said, he must interpose on the point of Order, believing that the practice of putting Questions to the Ministry was degenerating into a mere means for the expression of opinion. He apprehended that the object of putting Questions to Ministers was to elicit information on facts of which they were officially cognizant, or as to transactions for which they were officially responsible. Nothing of an argumentative or controversial character should be introduced; and, indeed, he believed it was a rule of the House that in putting a Question hon. Members should not be allowed to use an argument or express an opinion, and, therefore, they were equally disqualified from requiring from the Government such an expression. His hon. Friend (Sir Henry Hoare), however, was

transgressing the Rules of the House in putting a Question in which he invited opinions from the Prime Minister. If the Question were put an answer must be allowed, if even it were an hour long, and by moving the adjournment of the House it was then open to any hon. Gentleman to answer the arguments of the Prime Minister. He wished, therefore, to submit to Mr. Speaker whether his hon. Friend was not out of Order in putting this Question?

MR. SPEAKER: It will be convenient that I should remind the House of the Rules which exist with regard to Questions. Questions may be put to Ministers of the Crown relating to public affairs; but in putting such Questions no argument or opinion is to be offered, nor any facts stated, except such as may be necessary to explain such Question. Now, in looking at the Question of the hon. Baronet, it appears to comprise not less than six Questions. First, he asks the First Lord of the Treasury whether, "in lieu of adopting the proposals of the hon. Members for East Surrey and Leicester," he will not adopt another course. That is one Question. Then he asks the right hon. Gentleman whether the business of the Session would not be more effectively performed in another way. That is a second Question. The third Question relates to an ex-Cabinet Minister, the fourth to the proposer of a Bill, the fifth to the proposer of a Motion, and the sixth is whether it would not be advisable to curtail the right of initiative in legislation belonging to private Members: all matters of opinion, all open to argument. It is perfectly true, as has been stated by the right hon. Gentleman (Mr. Horsman), that these Rules have been made for the purpose of excluding from Questions matters of opinion and argument which are fit for debate. In my opinion the Question of the hon. Baronet is not of such a kind as to come within the Rules of the House.

MR. GLADSTONE: I think, Sir, I shall act in the spirit of the decision you have just delivered if I say that such matters as those involved in the Question of the hon. Baronet, relating as they do to the despatch of business in this House, had better be raised in the form of a proposal for a Committee of the House to consider its arrangements for the despatch of business.

## BRAZILS—THE ROCAS SHOALS.

## QUESTION.

MR. GRAVES said, he wished to ask the Secretary to the Board of Trade, If his attention has been called to the numerous shipwrecks which have from time to time occurred on the Rôcas Shoals, and whether it is the intention of the Board of Trade to cause any representations to be made to the Government of His Majesty the Emperor of the Brazils as to the desirability of lighting or otherwise guarding this dangerous reef?

MR. SHAW LEFEVRE: Sir, in consequence of the recent loss of the ship *Mercurius* on the Rôcas Shoals, and the report of her survivors as to the traces of very numerous wrecks there, and looking also to the fact that vessels going round the Cape of Good Hope make a more westerly course than formerly, and approach more nearly to these shoals, the Board of Trade have, through the Foreign Office, made a representation to the Brazilian Government in the hope that a light may be placed on these shoals.

## IRELAND—STATE OF THE COUNTY OF MAYO.—QUESTION.

MR. G. BROWNE said, he wished to ask the Chief Secretary for Ireland, Whether, having regard to the present peaceable state of the County Mayo, it is the intention of Her Majesty's Government to relieve the people of that County from the expense of maintaining an extra police force?

MR. CHICHESTER FORTESCUE, in reply, said, that in the month of March, a large number of the magistrates of the county Mayo met together, and unanimously agreed to apply to the Government for an increase of the constabulary force under the powers which they possessed by statute. Many of them wished for a larger force; but they were unanimous in asking for 150, one-half only of which could by law be charged to the county. The Inspector General of Constabulary had not been able to supply more than 116. The state of the county Mayo had very much improved since March; but it would be quite premature at present to decide on any withdrawal of that force.

## IMPRISONMENT OF A CHILD FOR FISHING.—QUESTION.

MR. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, If he has caused inquiry to be made as to the truth of a statement which has appeared in the public papers to the effect that a child of twelve years old has been sent to prison for taking fish out of the River Avon of the estimated value of two pence by the magistrates sitting at petty sessions in the county of Warwick?

MR. BRUCE said, in reply, that he had made inquiries on the subject and found that the facts were not exactly as they had been stated. It appeared by the certificate which had been forwarded to him, that according to the statement of the father the boy was not a child of 12 years of age, but would be 17 next September. He was fined by the magistrate in what could not be called an exorbitant sum—namely, 1s., but the costs amounted to 13s. for fishing in private water. The magistrate, in the exercise of the discretion he possessed, might no doubt have reduced the latter, more especially as the clerk was paid by salary and not by fees, and so no injustice could have been done to that officer. Although it was a discretion on the part of the magistrates, he (Mr. Bruce) regretted that so severe a sentence as 10 days' imprisonment should have been imposed for so slight an offence.

## INDIA—EDUCATIONAL SERVICE.

## QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Under Secretary of State for India, Whether the Secretary of State has received any reply to the Despatch addressed to the Government of India on the 2nd July 1868, on the subject of the Educational Service in India; and, if not, whether His Grace proposes to take any further steps in the matter?

MR. GRANT DUFF: In reply, Sir, to my right hon. Friend I have to say that we have not had an answer to the despatch about which he asks; but a despatch will probably go to India tomorrow, forwarding for final consideration a revised table of precedence, in which the position of educational officers is materially improved.



SIR STAFFORD NORTHCOTE: But with regard to the other matters mentioned in the despatch?

MR. GRANT DUFF: We have heard nothing; but the attention of the Government of India might be again called to them.

### THE STEAMSHIP "CHIEFTAIN."

#### QUESTION.

MR. ALDERMAN LUSK said, he wished to ask the Secretary to the Admiralty or the Under Secretary of State for Foreign Affairs, Whether he is aware that the steamship "Chieftain" (lately the "Mutine" corvette of the Royal Navy) belonging to Messrs. Robertson and Co., Cornhill, City, was entered out at the Custom House on the 7th of April, took on board a general cargo in the West India Docks for Yokohama, Japan, and on the 11th of May last sailed from London; that when going down Channel she was on the 16th, from bad weather, obliged to put into the port of Plymouth; that while there she was searched by an officer of Her Majesty's Customs and an officer of the Royal Navy, her papers twice examined, and her Captain requested by the Collector of Her Majesty's Customs not to leave without his permission; that during the night of the 16th an iron-clad war vessel was moved down and anchored outside the "Chieftain," apparently with the intention of preventing her from going to sea, and that the "Chieftain" was detained nearly all next day; if so, will he state why this vessel was searched and her crew and captain disturbed at Plymouth in the prosecution of a lawful voyage, as the Admiral and the Customs authorities there and the Commissioners of Customs here refuse to give any satisfactory answer to those concerned; and, is the Government prepared to make any compensation to the owners of the "Chieftain" for the expenses and detention and loss of time thereby incurred? He wished further to ask whether the Customs authorities were not on board the vessel, in discharge of their duty, almost every day for four weeks?

MR. OTWAY said, in reply, that he would endeavour to answer the Question with a due regard to what had recently fallen from the Chair. It appeared that the *Chieftain* was sold to Messrs. Robertson, who at the time of the purchase

asked that they might also be allowed to buy her armament, and, the fact becoming known at the Foreign Office, representations were made, and the armament was not sold with the vessel. Shortly afterwards information was received at the Foreign Office that the vessel was proceeding down the river, armed, and it was thought proper to make inquiry respecting the character and destination of an armed vessel leaving this country when she again touched at an English port. Therefore, upon the arrival of the vessel at Plymouth, inquiry was made as to her destination and character, and when it was found that one of the partners of the firm owning the vessel was on board her, inquiry immediately ceased. No doubt these proceedings might have occasioned some inconvenience, but there was no unnecessary detention; and the inconvenience, such as it was, might have been obviated if the parties who purchased and despatched this armed vessel had communicated with the Foreign Office and had made known the country for which she was destined. It would be obviously impossible to carry out the Neutrality Laws of this country if armed vessels belonging to private persons were to be permitted to leave the country without inquiry as to their character and destination.

MR. MELLY said, he wished to ask if the Foreign Office was aware for whom the vessel had been purchased, and where she was going to?

MR. OTWAY: So far as he was aware, the vessel had been purchased for the Government of Japan, and had already passed the Suez Canal, *en route* for Yokohama.

MR. ALDERMAN LUSK said, he wished to ask whether the hon. Gentleman was not aware that the vessel had lain four weeks at the docks taking in her cargo?

MR. OTWAY said, he had been informed that her cargo consisted principally of Armstrong guns—an additional reason for an inquiry.

### CANADA—RED RIVER SETTLEMENT.

#### QUESTION.

MR. M'ARTHUR said, he wished to ask the Under Secretary of State for the Colonies, Whether or not it is true that the Government of the Dominion of Canada have set apart one million four



hundred thousand acres of the richest land in the Red River Settlement for the half-breeds of that territory, and under what conditions and for what reasons such appropriation has been made; whether his Excellency the Governor General has assented to such a proceeding; and, whether the Colonial Office is in possession of any information relating to this matter; or if any Correspondence has taken place between the Governor General of Canada and the Secretary of State for the Colonies, he will object to communicate such information, or to lay such Correspondence upon the Table of the House?

MR. MONSELL said, in reply, that by the 31st section of the Acts of the Canadian Parliament power had been given to appropriate a portion of the territory, to the extent of 1,400,000 acres, for the benefit of the families of the half-breeds, under regulations to be made from time to time by the Governor General in Council. The selection of the lots were left to the Lieutenant Governor. The Governor General had assented to what had been done. No Correspondence had taken place between the Governor General of Canada and the Secretary of State for Colonial Affairs.

#### CANADA—THE VOLUNTEERS.

##### QUESTION.

MAJOR WALKER said, he wished to ask the Under Secretary of State for the Colonies, Whether Her Majesty's Government has taken, or is about to take, any steps to mark its sense of the zeal and gallantry displayed by the Colonial Forces during the recent disturbances on the Canadian frontier?

MR. MONSELL: Sir, Her Majesty's Government, immediately upon receiving information with respect to the conduct of the Canadian Volunteers, addressed a despatch to the Governor General of Canada expressing—what I am sure was the feeling of the House and of the country—their sense of the spirit, bravery, promptitude, and energy exhibited by the Volunteers during the recent disturbances on the frontier. They had further addressed a letter to the Governor General of Canada asking him whether there are any officers to whom he would recommend that the Order of St. Michael and St. George should be

awarded. No answer has yet been received; but I can assure the hon. Member Her Majesty's Government are anxious to mark in every way they can their sense of the gallant conduct of the Canadian Volunteers.

#### METRIC WEIGHTS AND MEASURES.

##### QUESTION.

MR. J. B. SMITH said, he wished to ask the Secretary to the Board of Trade, Whether the Government has received an invitation from the Government of France to send Representatives to a Congress of Nations to be assembled at Paris for the purpose of procuring for each nation metric standards of weights and measures, and of comparing and verifying the same with the original metric standards deposited at Paris; and, whether he can inform the House what nations have accepted this invitation, and whether Representatives of Great Britain have been appointed by Her Majesty's Government to attend the Congress?

MR. SHAW LEFEVRE: In reply, Sir, to the hon. Member, I have to state that the Government received a short time ago an invitation from the French Government of the nature to which he adverts. As the use of the metric system is in some sense legalized in this country, it has been thought proper to accept the invitation of the French Government, and three gentlemen have been appointed to represent this country on the Commission—namely, Professor Airy (the Astronomer Royal), Professor Millar, and Mr. Chisholm (the Warden of the Standards). I understand that 22 countries, in all, have accepted the invitation of the French Government, including all the European States, the United States, and others.

#### ARMY—COMMANDER-IN-CHIEF IN IRELAND.—QUESTION.

MR. VANCE said, he would beg to ask the Secretary of State for War, Whether it is true that the General who is to succeed Lord Straithnairn as Commanding in Chief in Ireland is to be sent there with reduced pay and allowances to those usually given to officers commanding in chief in that country; and, whether, if so, he is supposed or expected to continue to keep up that state and position which has hitherto

*Mr. M. Arthur*

been maintained by his predecessors as becoming the head of Her Majesty's Forces in Ireland, and who from time to time is usually nominated one of the Lords Justices of that Kingdom?

MR. CARDWELL replied that the pay and allowances of Sir William Mansfield would, he apprehended, be precisely the same as those of Lord Strathnairn.

#### IRELAND—POOR LAW INSPECTORS.

##### QUESTION.

LORD GEORGE HAMILTON said, he would beg to ask the First Lord of the Treasury, Whether, having regard to the facts set forth in the Annual Reports of the Poor Law Commission for Ireland laid before Parliament in the years 1869 and 1870, to the effect that the operation of the Act passed in 1868 (31 and 32 Vic. c. 74) extending the powers and duties of the Poor Law Inspectors in Ireland, has imposed additional labour on those officers, and has considerably increased their personal expenses, it is the intention of Her Majesty's Government to accede to the application made by the Poor Law Commissioners, and both by the late and present Lord Lieutenant of Ireland, in favour of an improved scale of salary for the Poor Law Inspectors?

MR. GLADSTONE replied, that the question of increasing the salary of the Poor Law Inspectors in Ireland had been under the consideration of the Treasury, and that the Treasury had hitherto made a negative reply. The question had, however, been re-examined recently in connection with matters to which the noble Lord had adverted, and the answer of the Treasury would be very shortly made known.

#### IRELAND—DIOCESAN REGISTRIES.

##### QUESTION.

MR. POLLARD-URQUHART said, he wished to ask the Chief Secretary for Ireland, Whether the Government have taken, or are about to take, any steps for the purpose of preserving such of the records, deeds, and documents now in the Irish Diocesan Registries as may not, in conformity with Clause 47 of the Irish Church Act of last Session, be transferred to the Church Temporalities Commissioners?

MR. CHICHESTER FORTESCUE said, in reply, that the Question of the hon. Member was one of considerable interest, and it had received, and would continue to receive, every attention from the Irish Government. His hon. Friend knew there was one large and important class of documents—those connected with the Church property—which would be transferred along with the Church property to the Church Temporalities Commissioners. Another large and important class would be transferred to the new Court of Matrimonial Jurisdiction. There was a residue of documents of various kinds on which he was not able to speak authoritatively; but the question of their disposal deserved, and would receive the careful consideration of the Government.

#### ARMY—PROMOTION.—QUESTION.

SIR EDMUND LACON said, he would beg to ask the Secretary of State for War, Why the promotion as successor to Brevet Major M'Pherson, Captain 17th Foot was granted to a Lieutenant of the 39th Foot, who, promoted to the rank of Captain, is transferred in the same Gazette to the 17th, over the heads of seven Lieutenants of the 17th, all of whom were his seniors?

MR. CARDWELL: Sir, the Treasury authorized certain unattached promotions on condition that in each case the promotion was attended by the absorption of a supernumerary of the same rank. Captain M'Pherson was promoted to an unattached majority; but there was no supernumerary captain in his regiment. Lieutenant White was about to become by purchase the junior supernumerary captain in the Army, and he was therefore transferred from the regiment in which he would have been a supernumerary to fill the vacancy occasioned by the promotion of Captain M'Pherson.

#### METROPOLIS—SOUTHWARK PARK.

##### QUESTION.

MR. LOCKE said, he wished to ask the Under Secretary of State for the Home Department, with reference to the Deputation from Inhabitants of the Borough of Southwark, which was recently received by him, Whether he has taken any steps with a view to prevent the erection of buildings in Southwark Park?

MR. KNATCHBULL-HUGESSEN, in reply, said, that the Question related to a matter of considerable importance. Under the Act of 1864, the Metropolitan Board of Works purchased, at the expense of the ratepayers of the metropolis, 60 acres of land, and they proposed to sell 16 acres as building land in order to recoup themselves for a portion of the expense, which would amount in all to £100,000. The inhabitants of Southwark protested against that proceeding, alleging that the part of the land proposed to be taken was much frequented by the people, and that, owing to the peculiar shape of the Park, the proposed erection of houses would not only curtail it, but materially diminish the value to the public of the remaining portion. His own individual opinion was in favour of open spaces, as large as possible, being maintained, as lungs for the crowded population of the metropolis, and if any action of his could possibly secure such a result, that action would be taken; but the only step he could take was to bring the matter under the consideration of his right hon. Friend the Home Secretary. If the hon. Member thought it desirable that further steps should be taken in the matter, it would be open to him to call the attention of the House to the subject.

#### ARMY—EXPENDITURE.—QUESTION.

LORD GARLIES said, he would beg to ask the Secretary of State for War, in reference to his reply on the 7th instant, as to the apparent discrepancy between the estimated amount and the actual expenditure incurred on the Army Votes for the past year, Whether he can explain the nature of the items of expenditure upon repayment included in the gross estimate, as given in the Estimates for this year, which he explained to have been omitted in the net estimate, excluding such expenditure last year; and, whether he can see any reason for the gross estimate to be given in the one case and the net in the other, considering that they are both designated under the same title of "net amount," after deducting estimated extra receipts and repayments to the Exchequer, on page 4, headed "Statement showing the aggregate amount of the services contained in the Estimates for the three years ending, &c.?"

*Mr. Locke*

MR. CARDWELL: I am sure, Sir, the noble Lord has no other object but to obtain the information which I shall be most happy to give. I have the details in my hand, at his service. The largest item in the list is that of clothing. The alteration in the mode of statement has been made to correspond with an alteration in the form of the Army Account recently made under the direction of the Treasury.

#### INDIA—CIVIL SERVICE.—QUESTION.

MR. SCOURFIELD said, he wished to ask the Under Secretary of State for India, If any explanation can be offered of the reasons which have induced the Civil Service Commissioners to select as a successful candidate in the last competitive examination for the Civil Service in India, Mr. Borooah, who appears according to the evidence afforded by the regulation of the Calcutta University, and the date of his entrance examination to that University, as specified in the Calcutta Gazette, to have been disqualified by his age from becoming a candidate on that occasion?

MR. GRANT DUFF: Sir, in reply to my hon. Friend, I have to say that the Secretary of State for India in Council has neither the power nor the wish in any way to interfere with the absolute discretion of the Civil Service Commissioners, who are the sole judges of all such questions as that which has, it appears, arisen in the case of Mr. Borooah. They have just proposed to us that a certificate from the chief local authority in India should be held conclusive as to the ages of natives of India, and should be required by them in all cases; but we can only give advice and facilitate the carrying into effect of their arrangements. They make and interpret their own rules, and we have every reason to be satisfied with the results of their action.

#### PARLIAMENT—NEW REFRESHMENT ROOMS.—QUESTION.

MR. BENTINCK said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government intend to adopt the plan for new refreshment rooms which has been altered from the plan of Mr. Barry of 1869, and with any and what modifications; and, whether it is not to the advantage of the



Public Service that this altered plan, which interferes materially with important architectural features of the Palace, should be prepared and executed by a competent architect, in accordance with the Second Report of the Committee of the House of Lords? He would also beg to ask the First Lord of the Treasury the other Question which stood in his name, Whether he will fix a day for proceeding with the Civil Service Estimates, Class I.?

MR. AYRTON: Sir, as the Question of the hon. Gentleman, although addressed to the First Lord of the Treasury, relates to the business of the Office of Works, I have to state that it is the intention, I believe, of the Secretary of the Treasury to lay on the Table of the House in a day or two the Estimates for the special service of the Houses of Parliament. That Estimate will embrace the plans which have been submitted by the Office of Works for consideration to a Select Committee of the House, and unanimously approved of by them, and which I trust will lead to the convenience and comfort of hon. Members. The hon. Gentleman is pleased to say that the plan is altered from Mr. Barry's plan. Well, the plan is not Mr. Barry's, but one prepared by the officers of the Department of Works. The plan relates both to the House of Commons, and in a small degree to the House of Lords. The House of Lords, undoubtedly, in their first Report, took great exception, in an architectural point of view, to some statements I had made. They combated my views at considerable length; but on reflection they presented another Report, in which they acquiesced in my views, and the critical affair that arose between myself and the House of Lords is, therefore, at an end. With regard to details, as I shall have to explain the Estimate when proposed it would not be right that I should now do so; but I can assure the House that the plans have been prepared entirely to meet the convenience of the House, on which Members will be enabled to form an opinion, and, perhaps, a better opinion than any architect however distinguished.

MR. GLADSTONE: With regard to the second Question of the hon. Gentleman, I may state that my right hon. Friend the Secretary of State for War has been prepared for some time to go

on with the Army Estimates; but, in order to meet the convenience of the noble Lord the Member for Haddingtonshire (Lord Elcho), the Army Estimates will not be taken to-morrow. The Civil Service Estimates will be taken; but not Class I.

#### CIVIL SERVICE—COMPETITIVE EXAMINATION—CLERKSHIPS IN THE HOME DEPARTMENT.—QUESTION.

MR. FAWCETT said, he would beg to ask the Secretary of State for the Home Department, If he will state the reasons why he has adopted a course different to the majority of his Colleagues, and has recommended that first appointments to clerkships in the office over which he presides should not be obtained by open competition?

MR. BRUCE: Sir, the number of clerks to which the Question of the hon. Gentleman refers is about 20, so that on an average, less than one vacancy occurs every year. My reasons were practically the same as those which influenced Lord Clarendon in arriving at a similar conclusion. No inconsiderable portion of the duties required from the clerks being of a confidential nature, requiring some guarantee of personal honour and trustworthiness, as well as of the intellectual attainments secured by the competitive examination, I did not think myself justified in relieving myself from the responsibility of making a personal selection of the candidates for examination.

#### FRANCE AND PRUSSIA.

##### QUESTION.

MR. DISRAELI: Sir, I am at all times unwilling to press Government unnecessarily for information with respect to our foreign relations; but, in the present critical state of affairs, I feel bound to ask the right hon. Gentleman opposite, Whether it is in his power to make any communication to the House respecting the misunderstanding which appears unhappily to exist between two of Her Majesty's principal allies?

MR. GLADSTONE: Sir, I regret I have to say that I must ask the right hon. Gentleman and the House to be satisfied with a very brief statement on the present occasion. We have, Sir, no specific intelligence to convey to Par-

liament of a nature to satisfy the natural and universal desire of the country to hear that all differences in connection with the candidatureship of Prince Leopold for the Throne of Spain are completely at an end. However, I can state that the communications between France and Prussia on that subject have not been brought actually to a close, and I need scarcely add we shall continue to do all that depends upon us for the removal of difficulties and the continuance of peace.

MR. HORSMAN: Sir, I am sure my right hon. Friend will be glad of the opportunity to state—and the House will listen with interest and anxiety to his statement with reference to what is reported to have fallen from the Minister of Foreign Affairs in France, and was repeated yesterday in the *Constitutionnel*—that the Government of France in the course they were pursuing had the sympathy and moral support of every Government in Europe. I am sure my right hon. Friend will be glad of the opportunity of stating whether, as regards the Cabinet of Great Britain, that statement is correct?

MR. GLADSTONE: Sir, I can only say, in reply to the very natural Question of my right hon. Friend, that I do not think it would be for the public interest that I should enter into details on the particular subject to which he has referred; but this I may say, that Lord Granville has addressed a communication to Paris on the subject of that declaration to which my right hon. Friend refers.

#### ARMY—THE MITRAILLEUR.

##### QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether, with the view to its introduction into the English service, any steps have been taken by the Government to ascertain the effect of the engine of war called the *Mitrailleur*, which has been lately adopted and highly approved by the French military authorities; and whether it is true that a Select Committee is now or has been sitting to inquire into other descriptions of the same firearm, and, if so, how soon their Report may be expected?

MR. CARDWELL: Sir, two *mitrailleurs* have been purchased; one from America, called the Gatling, and the

other from Belgium, called the Montigny. They have been partially tried, and returned to the inventors, at their own request, for some improvements. One has been returned to us, the other not. A Committee has been appointed, and experiments will shortly be resumed. The French instrument is of the same kind.

#### ELEMENTARY EDUCATION (*re-committed*) BILL—[BILL 187.]

(*Mr. W. E. Forster, Mr. Secretary Bruce.*)

COMMITTEE. [*Progress 11th July.*]

Bill considered in Committee.

(In the Committee.)

MR. W. E. FORSTER moved, after Clause 31, to insert the following clause:—

(Payment of chairman).

"The school Board for London, and the school Board for any other district, the size of which in the opinion of the Education Department justifies the payment of a chairman, may pay to the chairman of such Board such salary as they may from time to time, with the sanction of the Education Department fix."

The right hon. Gentleman stated that he did not propose that it should be necessary that the chairmen should be paid, but it would be well to give the school Boards the power to so pay them. He had no doubt that in London it would be impossible to work the Bill without having a man of first-rate ability as chairman, and one who would be in a position to give up his whole time to this question. If so, he must be paid.

MR. CANDLISH said, he thought this clause was one of a very doubtful character. If they paid one chairman of a Board they must pay the whole. It ought to be limited to certain defined conditions, for there was no doubt it would add considerably to the expense of the school Board, and would be an additional obstacle to the working of the Bill.

MR. HIBBERT said, he thought it was just as necessary to pay the chairman of a Board of Guardians as the chairman of a school Board. He would suggest that, at any rate, this principle should be limited to London.

LORD ROBERT MONTAGU said, if there was to be only one school Board for the metropolis the time of the chairman would be so much taken up with his duties that it would be impossible to get

*Mr. Gladstone*



anyone to take the office unless he was paid. But he agreed with the hon. Member for Oldham (Mr. Hibbert) that the principle should be limited to the metropolis, for if chairmen were paid in the rural districts shopkeepers or retired tradesmen would be candidates for the office. But if the office was not paid the district would be likely to obtain a man of some private means, who would accept the office from the interest he took in the cause of education.

MR. W. E. FORSTER said, he would not press the clause against the will of the House. He was still of opinion that there was some large towns where it might be desirable to pay the chairman of the school Board as well as in London; but if the opinion of the Committee was that it should be limited to the metropolis he would not object.

Words from "London" to "Chairman" *struck out*.

Clause, as amended, *agreed to*.

MR. W. E. FORSTER said, he thought it desirable, in order to ensure the safe working of the Bill, to give the Education Department the power of dissolving the school Boards, and proposed after Clause 57, to insert the following clause:—

(Dissolution of school Boards).

"Where the Education Department are of opinion that in the case of any school district the school Board for such district are in default, or are not properly performing their duties under this Act, or that for any reason it would be expedient for the interests of education in such district to have a new Board elected, they may by order direct that the then Members of the school Board of such district shall vacate their seats, and that the vacancies shall be filled by a new election; and after the date fixed by any such order the then members of such Board shall be deemed to have vacated their seats, and a new election shall be held in the same manner, and the Education Department shall take the same proceedings for the purpose of such election as if it were the first election; and all the provisions of this Act relating to such first election shall apply accordingly."

LORD ROBERT MONTAGU objected to the vagueness of the expression—

"Or that for any reason it would be expedient for the interests of education in such district to have a new Board elected."

It would be sufficient to give the Education Department the power to dissolve a Board in case the Board refused to perform their duties or offered any obstruction to the conduct of education.

MR. COLLINS said, he thought some means should be taken to provide against the arbitrary exercise of this power by repeated dissolutions of the same Board.

MR. W. E. FORSTER said, he would consent to the omission of the words referred to by the noble Lord (Lord R. Montagu).

MR. HENLEY said, he objected to the clause because it gave the Educational Department the nomination of the school Boards. There was nothing to prevent it *toties quoties* from dissolving the Boards. This was a strong power to take, and which would not be tolerated in the guardians of the poor. If the Government had it in their power to dismiss without appeal any school Board, he thought there ought to be good reasons why they should exercise it.

MR. HIBBERT observed, that the right hon. Gentleman opposite need not fear intrusting the Education Department with these powers as they had already conferred upon them by the 12th clause powers far more extensive.

MR. W. E. FORSTER said, he must press upon the Committee the necessity of conferring this power upon the Department; but to prevent the power being abused would propose the addition of words requiring a report of the cases in which this power had been exercised to be made to Parliament annually.

Words *omitted*.

On Motion of Mr. W. E. FORSTER, the following words were added:—

"The Education Department shall cause to be laid before both Houses of Parliament in every year a special report stating the cases in which they have made any order under this section during the preceding year and their reasons for making such order."

Clause, as amended, *agreed to*.

MR. HINDE PALMER moved, after Clause 14, to insert the following new clause:—

(Inquiry into complaint of religious teaching.)

"If any teacher in a school provided by a school Board shall, during the ordinary school hours not specially appropriated under Clause 7 for instruction in religious subjects, teach systematically and persistently any particular religious doctrine, or shall otherwise act in violation or disregard of the provisions of this Act, the school Board shall, on complaint made in writing to them by the parent of any scholar hear the complaint, and inquire into the circumstances; and, if the complaint is judged to be reasonable, shall take all necessary steps for preventing the recurrence of the matter complained of; and any parent who shall feel aggrieved by the decision of the school



Board on such complaint, shall be at liberty to appeal to the Educational Department by a memorial signed by such parent together with three ratepayers."

The clause was taken almost verbatim from the Endowed Schools Act of last year, and he thought it was a necessary consequence of previous legislation.

MR. W. E. FORSTER said, he did not disagree with the hon. and learned Gentleman in the object he wished to attain; but he did not think by this clause he would attain it. Instead of strengthening the hands of the Education Department for the purposes aimed at, the clause would weaken them.

MR. CANDLISH said, he thought the clause would facilitate the action of the Education Department, since it would bring the facts to the knowledge of the Department.

MR. PEASE said, he had withdrawn a similar Amendment, finding in the Bill as reprinted provisions which effected this object.

Clause, by leave, *withdrawn*.

MR. CORRANCE moved to leave out Clause 23, and insert the following clause:—

(Payment for children in receipt of parochial allowance.)

"The school Board shall pay the whole or any part of the school fees upon behalf of any child whose parents shall be in receipt of any parochial allowance, or for any child left chargeable to any person other than its parents; and such payment shall not be deemed to be parochial relief within the meaning of any Act for the maintenance of the indigent poor, either to the child or its parents in such case."

He did not mean to say that the education of pauper children was wholly unprovided for; but the provision for their education was extremely small. The Commissioners in 1866 reported that a very large proportion of them were utterly destitute of education; for though the existing laws gave power to educate them, the law was not complied with, and the Commissioners went on to say that the best remedy would be to make the law compulsory. He believed that that was the state of things at the present time. His objection to the 23rd clause of the Bill was, that it left the matter optional, and not compulsory, with the guardians; but the guardians had never yet acted upon the law, and he feared that they never would do so unless compulsion was brought to bear upon them.

*Mr. Hinde Palmer*

VISCOUNT SANDON said, he had put upon the Paper a clause bearing upon this large and important question; but, after the discussion which had already been held, he should withdraw it, and he commended his example to the hon. Member (Mr. Corrance), because he was satisfied that in principle this was a matter which belonged to the administration of the Poor Law and not to education, and it would be better to postpone it until a distinct Bill could be brought forward to deal with it.

Clause, by leave, *withdrawn*.

SIR CHARLES ADDERLEY moved the insertion of the following clause after Clause 26:—

(Enforcement by school Boards of the Industrial Schools Act.)

"It shall be the duty of every school Board within whose district there is a certified industrial school to put in force, as far as possible, and, if necessary, by an officer of its own, the fourteenth section of the Industrial Schools Act; and the magistrate before whom neglected children are so brought may, if he think fit, send such as have a living parent or guardian to the industrial school for instruction only during the day; and the school Board may pay fees or grant pecuniary aid for the education of any neglected children whom they may cause to be sent to an industrial school.

"Industrial schools to which a school Board shall contribute, and to which other contributions will, under the foregoing Clause, thereupon cease to be made, and industrial schools established by a school Board, shall be subject to the Education Department; and with respect to them, whenever the Secretary of State is named in the Industrial Schools Act the Education Department shall be understood; and the Inspector of such industrial schools shall be the same Inspector as is appointed to inspect other public elementary schools in the same district."

He hoped the Government and the Committee would accept a portion, at all events, of the Amendment, and that before long they might have a considerable change introduced in the Industrial Schools Act, so as to make it correspond with this new educational system of the country. He wished it to be provided that where industrial schools existed they should be made use of; and, further, that the magistrates who committed children to their might commit them as day scholars and not as boarders in certain cases where those neglected children had a surviving parent or guardian. He also wished to provide that these schools, like the other schools under the school Board, should be supported by the same rates and under the same Educational Department. This

clause was objected to, he knew, by the managers of the industrial schools; but the objection was simply urged against the present conduct of the Education Office by managers who disliked its interference, and wished to retain unchecked control. There could be no material objection to taking publicly-aided schools from under the Home Office, and placing them under the control of the Education Department. On the contrary, there was every reason of uniformity, of system, and economy for placing all national schools in the national school Department. If that Department needed altering, alter it.

MR. LIDDELL said, he thought it would be wise to follow the old proverb and "let well alone." The clause was objected to by the managers of the industrial schools, who felt that it would be very unwise to hand over the discretionary powers which they possessed to another set of authorities who knew nothing whatever about the schools, and who would find it exceedingly difficult to carry out those powers with beneficial results.

MR. W. E. FORSTER said, there were great and almost insurmountable difficulties in the way of the Education Department undertaking the care and supervision of these children, and also in the way of allowing children to be sent to industrial schools simply as day scholars. Nor would it be wise to compel the school Boards to put the Industrial Schools Act in force. The Government could not assent to the insertion of any regulation binding or even suggesting to the school Boards the adoption of that course. The question was a very difficult one, and though it might be met in amending the Industrial Schools Act, it had no place in this Bill. It might, however, be of advantage to give the school Boards power to appoint officers to put the Industrial Schools Act into force if they chose to do so, and he therefore proposed the following new clause in lieu of the one proposed by the right hon. Gentleman:—

"Every school Board may, if they think fit, appoint an officer, or officers, to enforce any bye-laws under this Act with reference to the attendance of children at school, and to bring children, who are liable under the Industrial Schools Act (1866) to be sent to a certified industrial school, before two justices in order to their being so sent, and any expenses incurred under this section may be paid out of the school fund."

MR. STEPHEN CAVE agreed with his right hon. Friend in endeavouring to make industrial schools more efficient than at present; but he thought it would be wrong not to lay down the principle that detention in such schools was a punishment, for otherwise there would be no answer to those who asked why such an expensive education should be given to the children of dishonest parents. That detention in such schools was penal, or *quasi* penal, was proved by the way in which discipline was enforced under the Act: insubordination or absconding were punished by consignment to a reformatory, or by imprisonment. Again, it was considered of great importance that children should be kept away from their former associates. But if ordinary day scholars were sent to an industrial school to mix with the children who were detained there, the discipline of the establishment would be interfered with, and the day scholars might be corrupted by their associates. These schools had no wish to be under the Education Department, their work not being education properly so called, but industrial training; and as the children there were committed by the magistrates, the Home Office seemed to be more appropriate, and it was quite a mistake to suppose that any penal stigma attached to the children after leaving the schools in consequence of that. The expenses of industrial schools were very much heavier than those of other schools, and they could not be saddled upon the rates. Under all the circumstances of the case it would be better to leave well alone, although the proposal of the Vice President would enable school Boards to put the law in motion, and would carry out his right hon. Friend's object to increase the efficiency of industrial schools.

MR. COWPER-TEMPLE said, he thought that the Amendment of the right hon. Gentleman (Sir Charles Adderley) would be a serious injury to the industrial schools. The essence of the reformation carried out in these schools depended on the schools becoming the home of the children, and a permanent home influence being exercised in them. If children were admitted as day scholars the result would be contamination, and the spread of evil associations. Besides that, the opinion of the managers of industrial schools was almost universally against the proposal.



SIR CHARLES ADDERLEY said, the children received into industrial schools were not criminals, but only children who had no visible means of subsistence. Criminal children were sent to the reformatories. He was, however, ready to take all he could obtain, and would accept the offer of the Vice President, looking forward with confidence to the operation of the clause.

MR. T. HUGHES joined in the protest against the assertion that industrial schools were schools for criminal children. The general rule was, that the children admitted should be destitute children not convicted of crime.

New Clause (*Sir Charles Adderley*) negatived.

New Clause (*Mr. Forster*) agreed to.

COLONEL DYOTT moved the insertion of the following clause, after Clause 40:—

“The Education Department shall make no order to direct that any parish shall be united to another parish for the purpose of forming a school district if such union be opposed by any number of ratepayers in the parish proposed to be united, being rated to the poor rate upon a rateable value of not less than one-half of the whole rateable value of such parish.”

There was no new principle in the clause, for it had been recognized over and over again by the Government in the course of this Bill. What he proposed was to give the ratepayers in a parish a more powerful voice in the management of their own affairs, particularly before their parish was united to any other parish for the purpose of forming an enlarged school district.

MR. W. E. FORSTER said, he could not, consistently with justice, accept the clause, for they had already provided that union should only take place after inquiry, and after hearing those parties in parishes who made representations against such a step. Following the suggestions of his right hon. Friend the Member for Morpeth (*Sir George Grey*), he had on a previous occasion stated that words should be put into Clause 43 for this purpose. If persons who worked land in a parish worked outside of it, would it not be manifestly unfair that such a parish should not pay its proportion to the rate for the instruction of the children of parents whose labour lay naturally within its borders?

SIR LAWRENCE PALK said, there might be a town in which there was a great deficiency of education; and near it a strictly agricultural parish, the pro-

perty of one landlord, in which there had been always school accommodation maintained by the landowner and the clergyman, and it would be a great hardship if the latter had to pay for the education of the former. This would lead to agitation and discontent; and he therefore hoped the right hon. Gentleman would accept the clause of his hon. and gallant Friend.

SIR GEORGE GREY declared that the adoption of the clause would be fatal to the operation of the Bill in the agricultural districts in the North of England, where there were ecclesiastical parishes for the most part arranged in townships, each occupied by a single farmer. If those townships were not combined for the purposes of the Bill, the measure would be inoperative in that part of the country, for the clause would allow a single farmer to put a veto on the union of the townships.

MR. COLLINS admitted that certain hardships would arise, but yet he could not support the clause, for there were many townships which were not so in any *bond fide* sense. He hoped the Vice President would see that real townships with sufficient school accommodation should not be subjected to what would clearly be a hardship.

MR. W. E. FORSTER observed that the object in view was not to increase the rate, but merely to spread it more equally over the district. He should be sorry if any feeling was created of town against country; but, for the sake of economy and general convenience, he thought it would be necessary to unite country parishes to a considerable extent. He looked forward to the action of the Department in the union of parishes as one of their greatest responsibilities, and he did not think the Committee would gain in the interests of justice by attempting to prejudge the matter by any general rule. He hoped the hon. and gallant Member (*Colonel Dyott*) would be satisfied with having brought the subject under the consideration of the Committee.

MR. HENLEY said, he would have been very glad if the right hon. Gentleman had assented to some clause to prevent people being married against their will. They might depend on it that if they joined two parishes of which the inhabitants of one were dissentients they would get up what was called a “very awkward resistance.” People very often



said—"You do not know how awkward we can be if we like." Now, everybody wished the Bill to work smoothly, and he did not know anything which would induce so many people to go against it as taking one parish and joining it to another against the will of one or the other. It would be a great security if some portion of the Bill would guard against this. It was a great thing that people should go willingly, for unless they had the will of the people with them in this matter they would be able to do nothing. They might do a great deal by leading them; but if they wished to drive them they would find that people were like pigs, and when driven went all manner of ways.

DR. BREWER said, he thought it was better to leave the matter to the Education Department, for the union of parishes might conduce to economy by preventing the needless multiplication of schools.

COLONEL DYOTT, in reply, asked why should the state of the parishes in the North of England be considered a sufficient ground for such legislation? Because the parishes in the North of England were divided into townships they were asked to legislate as if all parishes were thus divided. [Sir GEORGE GREY: The township is a parish under the Bill.] In that case they would take their place side by side with the other parishes, and be treated in the same way. It was manifestly unjust that a number of parishes should be rated alike, while the school accommodation was quite different.

Clause *negatived*.

MR. STAPLETON moved, after Clause 65, to insert the following Clause:—

(Dissolution of school Boards.)

"In case the average attendance of children at school in any school district shall fall ten per cent below the average attendance in other school districts in which the school Board is elected in the same manner as in the district in which such failure in attendance takes place, or in the case of the metropolis or of towns which are not boroughs below the average attendance in boroughs, or in any case below the average attendance in the county in which the district where such failure occurs is situated, the Education Department may dissolve the school Board of the district in which such failure takes place, and order the election of another school Board in its stead; and no member of the board so dissolved shall be eligible to be a member of the new Board unless he shall be expressly exempted from such disability by an order of the said Department."

MR. W. E. FORSTER said, he could not accept the clause. If the power of dissolving school Boards upon such grounds were vested in the Education Department, he did not see how they could exercise it.

Clause, by leave, *withdrawn*.

MR. LAIRD proposed, after Clause 78, to insert the following Clause:—

(Provision for certain districts under Improvement Commissioners.)

"Where any place not situate in the metropolis, or in a borough, is within the jurisdiction of any Commissioners intrusted by a local Act with the improvement of such place, and has under any general or local Act a separate police establishment, and consists of an entire parish or entire parishes, such place shall be a school district within the meaning of this Act, in like manner as if it were a borough and the said Commissioners were the council; but the local rate and the rating authority in such place shall be respectively the poor rate and the overseers."

MR. W. E. FORSTER said, the proposition was a very natural one for the hon. Gentleman to make; but in its terms it would be impossible for the Government to accept it, for this reason—the constituency of the Commissioners of Birkenhead was a limited constituency—only £10 ratepayers; and to give the election of the school Board to these Commissioners would be contrary to the principle of this Bill, which required that the parents of children should have a voice in the election of the Board. With the leave of the Committee he would state the change in the clause which the Government proposed to make. It would be in the recollection of the Committee that a discussion recently took place upon the question whether the elections should be carried on in the boroughs indirectly through the Town Council, or directly through the ratepayers, as in the country parishes. The Government, on that occasion, did not conceal their opinion from the House that there were strong arguments on both sides, and that they would be willing to be guided by the opinion of the House. He had stated that the Government adhered to the intention originally stated in the Bill, and he still thought that they had done right in proposing to place the elections in the hands of the Town Councils in boroughs, because by so doing they avoided the contention which might attend an annual election by the ratepayers, and be-

[Committee—*New Clause*.

cause, in the large boroughs, at all events, the Town Councils were likely to be exceedingly good bodies for the election of school Boards. But it was impossible to deny that the strength of the arguments against the indirect election of school Boards had been much increased by the changes which had been made in the Bill. Among other reasons, they had decided that the election in the metropolis should not be conducted through the Common Council, and after hesitating to intrust this duty to so distinguished a body as the Common Council in the City, it was difficult to maintain the elections by the Councils in provincial towns. Again, in many large provincial towns—towns with frequently 10,000, 12,000, or 15,000 inhabitants—there were no Town Councils, and in these places the elections would have to be conducted by the ratepayers. They had, too, admitted into the Bill principles which would make it very difficult to apply the principle of indirect representation. They had, for instance, changed the elections from annual to triennial, and there was no doubt that the body electing the school Board ought to represent the feelings of the ratepayers at the time of the election. In Town Councils, however, though there were fresh elections every year, it was only to the extent of a third of the members. The Government had, though with reluctance, come to the conclusion that, having admitted the principle of direct representation in so large a portion of the country, and especially in the metropolis, they were bound to adopt it generally, and, therefore, on the bringing up of the Report, the Government would be prepared to accept this change.

Mr. DIXON said, he hoped that if Government adopted such a clause as that proposed, they would except Liverpool, Manchester, and Birmingham from its operation. The Corporation of the City of London could not be said to represent the whole of the ratepayers of the metropolis; whereas in the large towns to which he had referred the share in the election of Town Councillors was general.

Mr. COLLINS congratulated the Vice President of the Council upon having come to the determination that the school Boards should in all cases be elected directly, as it was not likely that the men best qualified to act on those Boards

would be found in such a turbulent body as a Town Council.

Mr. LAIRD said, he would not press his Amendment after what had fallen from the right hon. Gentleman.

Mr. MUNDELLA believed that in the large towns the proposed change in the mode of election would deprive the schools of the services of some of the best men. Clergymen and Dissenting ministers would not stand a contest if they had to appeal to 20,000 or 30,000 ratepayers.

Mr. MELLY said, he hoped that the election would not be fixed for the month of November, when the elections for Town Councillors was held, but would be fixed at an earlier period of the year, when they would not be mixed up with political elections.

Mr. CANDLISH said, that direct elections in large towns would be an act of extreme impolicy. Such elections would be attended with religious acrimony, party bitterness, and enormous expense. He hoped the right hon. Gentleman would reconsider his determination to throw over the Town Councils.

Mr. J. S. HARDY thanked the Vice President of the Council for his intention to make the change. He could assure him that in the small towns there would be no confidence whatever in the school Boards if they were elected by the Town Council.

Mr. WHITWELL deprecated election by the ratepayers.

Mr. WHEELHOUSE believed the change contemplated by the Government would be eminently satisfactory to most large towns.

Mr. BAINES said, these popular elections ran in exactly the same groove, and were managed by the same people. Town Councils would be far more likely to make an honourable compromise between the different parties, political and religious, and would make a more impartial and more intelligent selection than the ratepayers.

Mr. GLADSTONE suggested that they should reserve the discussion of this question till the Report was brought up. The Committee was going to decide presently a question with regard to the mode of election, which had an important bearing on the subject, and it would be eminently desirable that they should postpone the matter upon which they were now engaged until the Report.

Clause, by leave, *withdrawn*.



MR. GRAVES rose to move the following clause:—

(Schools on board training ships.)

"A school Board may, if they think fit, with the consent of the Education Department, provide, establish, and maintain a school on board of a training ship for boys not liable to be sent to a reformatory or industrial school, and grant pecuniary assistance to any such school not provided by them; but every such school shall be conducted as a public elementary school."

He wished that the same privileges should be enjoyed by the virtuously destitute classes as were enjoyed by the criminal classes, and that some help should be given from the rates to valuable institutions which were struggling to maintain themselves in various ports. He hoped there would be no objection to giving a power which could only be permissive, and which could only be exercised with the sanction of the Privy Council. He, therefore, moved the new clause with the greatest confidence.

MR. W. E. FORSTER said, the question had been two or three times before the Committee. School Boards had power to establish schools for neglected children, and there was nothing to prevent these schools being on board ships, if they came within the definition of public elementary schools. That would depend upon the regulations of the Revised Code, and he had already promised that the question should be fully considered in the further revision of the Code. The Department had been left perfectly free by the elision of the definitions which would have excluded the schools referred to. They could not, however, give power to Boards to spend money for other than educational purposes.

MR. GRAVES said, he would be content with the assurance of the right hon. Gentleman.

Clause, by leave, *withdrawn*.

MR. NORWOOD, on the same assurance, withdrew a new clause for extending to ragged schools and to schools in factory homes the operations of the Act.

First Schedule.

MR. W. E. FORSTER moved the Amendment in the first Schedule rendered necessary by the acceptance of a metropolitan school Board.

Amendment *agreed to*.

MAJOR GENERAL FORESTER moved, First Schedule, page 27, line 29, after

"Oxford," insert "and Wenlock." His reason for doing so was that the borough was so extensive, being 15 miles in length, and that it included 13 parishes, several of them in different Poor Law Unions. On these grounds he thought the borough should be put on the same footing as agricultural boroughs without municipal councils or corporations, such as Shoreham and Aylesbury. As this was an exceptional case he hoped the right hon. Gentleman would accede to the request he made, which had been supported by Petitions not only from Wenlock, but also from most of the parishes in the borough.

MR. BROWN seconded the Amendment, and said that the extent of the borough was 30,000 acres, that it contained a population of 25,000 and that it was impossible for a rate levied upon the whole borough to be spent equally for the benefit of the whole borough. He supposed no other place had so strong a claim to consideration.

Amendment proposed, First Schedule, page 27, line 29, after "Oxford," to insert "and Wenlock."—(*General Forester*.)

MR. W. E. FORSTER said, he was sorry he could not accede to the Amendment. Oxford was put in an exceptional position merely with reference to the rating of the University, and he did not think that the case of Wenlock was so strong or so exceptional as it had been represented to be. It was one of many similar cases, and he did not see how he could depart from the principle of considering a borough a unit. He supposed the place was proud of its position, and it must take the disadvantages as well as the advantages of being a municipal borough. He did not see how they could deviate from the principle he had laid down without sacrificing the borough unit altogether. It must be remembered that they were dealing solely with municipal boroughs and not with Parliamentary boroughs, and it might be that in this case the municipal borough had a large area; but they must take it as they found it.

LORD JOHN MANNERS said, that if the Government had adhered to their original proposal of the election of school Boards by Town Councils, the opposition to the Amendment would have been tenable; but, as they now proposed that the ratepayers should

[*Committee—First Schedule.*]



elect the school Boards, he could not see that there was much force in the objection to the proposed Amendment.

MR. W. E. FORSTER said, he could not accept the conclusion that the question of the body which was to elect had anything whatever to do with considering the borough the unit, or with the area over which the rate was to extend.

MR. GILPIN said, the Government could not accept the Amendment, because he could name a dozen places that were in the same position as Wenlock.

*Amendment negatived.*

First Schedule *agreed to*, with Amendments.

On Motion of Mr. W. E. FORSTER, New Second Schedule *brought up*, and read the first and second time.

*Amendment proposed,*

To leave out from the word "held," in paragraph 1 of the Rules (Election by a Council), to the end of paragraph 30 of the General Rules, in order to insert the words "at such time and in such manner, and in accordance with such regulations, as the Education Department may from time to time by order prescribe, and the Education Department may appoint or direct the appointment of any officers requisite for the purpose of such election: Provided, That any poll shall be taken by a secret Ballot."—(*Sir Charles Dilke.*)

MR. W. E. FORSTER admitted the importance of the Amendment of his hon. Friend, and it would be convenient that he should state how the Government proposed to deal with the Schedule and the Amendment. No doubt there was inconvenience in having imparted into this difficult educational question the question of the Ballot. The Government were anxious not to prejudge the question either way as regarded the great principle of the Ballot. But as regarded the question of education, it was thought desirable on the second reading to make it quite clear throughout the country that the votes of parents should be given freely and fairly; and therefore, without prejudging the question of Ballot in the matter of Parliamentary or municipal elections, there were serious reasons for adopting the Ballot in elections of school Boards under this Bill. The Ballot already existed in many bodies similar to those which would have to elect the school Board. Under the Metropolis Management Act the Ballot was part of the machinery, and elections, therefore, were constantly going on in London conducted by Ballot. He had himself gone into the City to see a Ballot

for a popular election. It was a contested election for vestrymen, and the Ballot was taken under Sir Benjamin Hall's Act of 1855. There might be objections to the working of the machinery; but it was evident to him that every voter who wished to give his vote secretly might do so. London would probably be the very first place where a school Board would have to be elected, and, therefore, they would have been prejudging the question against Ballot if they had said that it should not be used under this Bill. But then his hon. Friend increased the difficulty by insisting that the Ballot must be secret; meaning thereby that the voter should be obliged to give his vote secretly. He thought they had enough difficulty on their hands without taking on themselves that responsibility. How, then, could they arrange practically for the election of these Boards? They had already agreed to the adoption of the cumulative vote, and they had endeavoured to frame a Schedule containing the necessary regulations. He could not, however, rely on it to meet all the difficulties; and it would be a great convenience if the Committee assented to the proposition of his hon. Friend, giving them the power to make the regulations. On the other hand, he could not expect the House or the Committee to leave this matter with *carte blanche* in their hands. That would be unreasonable. He, therefore, proposed that the Committee should accept the principle of his hon. Friend's Amendment with this understanding—that the order to be made should be enforced for every election up to the 1st of September next year, but not afterwards unless confirmed by Parliament. In the mean time, the question of the Ballot generally would not be prejudged, and he hoped that by next year it would be finally settled by Parliament. The right hon. Gentleman then stated the alterations which he intended to propose.

MR. BERESFORD HOPE observed that, considering the right hon. Gentleman's desire to get this Bill passed speedily, and, as far as possible, unanimously, through the House, he was astonished at the right hon. Gentleman's audacity in foisting in at the fag-end of the Bill the difficult and perplexed question of the Ballot. This was the more surprising, inasmuch as the Ballot had never yet been a Ministerial question;

*Lord John Manners*

it had only hitherto been a crotchet of private Members. Such a plan as this was unconstitutional, and he objected to this sort of pilot-balloon measure, which could only have the effect of frustrating legislation on sound and broad principles.

MR. JAMES objected to the adoption of so important a principle as the Ballot by a side wind and without a fair and full discussion, without which it was unreasonable to expect hon. Gentlemen opposite to yield up opinions to which they held very strongly. He was one of those who had brought themselves, however unwillingly, to believe that the Ballot was a necessity; but he could not deny that there were many and strong arguments in favour of open voting; and in deference to the opinions of those who were adverse to the Ballot, and in justice to the Ballot itself, he objected to this mode of determining this great and radical change. He would suggest an Amendment, authorizing the Education Board to determine the mode of election for 12 months. By striking out the words providing for secret voting, his hon. Friend would render assistance to the cause of the Ballot much more than by taking advantage of the present state of the House.

LORD JOHN MANNERS said, he wished to know the question really before the Committee. Was it the question of the Ballot?

THE CHAIRMAN said, the question was the Amendment of the hon. Member for Chelsea, which involved the omission from the Schedule of certain passages relating to Ballot.

MR. HIBBERT reminded the hon. Gentleman opposite that the principle of the Ballot was not, as he appeared to believe, new in this country, because the principle was embodied in an Act passed in 1831, relating to the election of Boards of Guardians, and which provided that on the requisition of five ratepayers, the poll should be taken by Ballot. Considering that there had been upon the statute book for nearly 40 years an acknowledgment of this principle, he thought the Committee might properly adopt it for a year, until the greater measure was passed.

MR. W. E. FORSTER, in reference to what had fallen from the hon. Member for the University of Cambridge (Mr. B. Hope), demurred to the remark made by the hon. Gentleman that the Government were "foisting in" this question.

The intention of the Government to accept this principle had been before the House for weeks, for it was one of the first alterations which the Government agreed to make in consequence of the discussion on the second reading of the Bill; and the discussions had since been conducted on the understanding that the Government intended to accept it, and hon. Members on his side of the House would have a right to complain if they now departed from the principle. The power was only asked for for one year, and surely that would leave the House uncommitted on the question. Under 18 & 19 *Vict.* vestry elections were by Ballot; and, therefore, unless the voting for school Boards was by Ballot, the Committee would undo that principle in such districts, and the Government would also be departing from the pledge given by the Prime Minister.

MR. BERESFORD HOPE said, that when he used the word complained of, he simply referred to the place which the subject occupied in the Bill. He contended that the Committee were put in a false position by this proposal. It ought not to have been made in a Schedule, but should have formed part of the Bill, and then it would have come under consideration earlier in their proceedings. He did not want to alter the *status quo* in districts where the Ballot now prevailed.

MR. W. FOWLER reminded the hon. Member that large majorities in that House had pronounced in favour of the Ballot, and if the Government abandoned the principle in the Bill, it would be thought that they had given it up altogether. He hoped the Government would stand firm on this question.

LORD JOHN MANNERS said, that the application of the Ballot in the election of school Boards by municipal corporations, so far from having been before the country for weeks, had only just been before the House, and in the case of municipal corporations it had hitherto been understood that the elections were to be by open voting. He wished to know whether the right hon. Gentleman meant to resist or accept the Amendment of the hon. Member for Chelsea?

MR. W. E. FORSTER said, it had been stated and understood in the discussions weeks ago that the election was to be by Ballot. The Government would accept the Amendment of his hon. Friend with the additional words he had stated,

[Committee—*New Schedule.*]



and with the omission of the words "a secret." He asked his hon. Friend to omit these words, because two interpretations were given to them. What he understood the clause to mean was that any election for school Boards held before September 1 of next year should be by Ballot; and it was limited for a year in order that the House should not be pledged upon the general question.

COLONEL BARTTELOT said, that if he had thought the Ballot had been mixed up with this question he should not have been found voting for the second reading of the Bill. Nobody expected that in such a measure vote by Ballot was to be introduced, complicating the education question, and separating, by a strong line of demarcation, one side of the House from the other. He had entertained great hopes that the Bill would have gone quietly through the House with the consent and sanction of all parties, for all were alike deeply interested in the education of the people. But they differed on the Ballot, and he would take every opportunity of opposing it, for he regarded it as a most un-English practice. In whatever position a man might be placed when the responsibility devolved on him of choosing another man to fill any office, he was bound to give his vote in the face of day, showing thereby that he voted conscientiously for the best man. He ventured to hope that the right hon. Gentleman the Vice President of the Council would reconsider the question. He had proved himself well worthy of the position he occupied, and he (Colonel Barttelot) hoped the right hon. Gentleman, who had conducted the measure in that House in the most conciliatory manner, would not now at the last moment throw into the discussion this apple of discord, which might endanger the ultimate passing of the Bill. It depended entirely on him and on the Government whether the Bill would soon receive the Royal Assent or not. If they waited for another year, and the Ballot was carried—which, however, he hoped would not be the case—then they could adjust its machinery to all other matters, as well as to Parliamentary elections. Mixing up such a question as that dealt with generally in the Bill with the Ballot was unfair to the country, and was characterized by more unwisdom than any proposal which had hitherto been made by the Government.

*Mr. W. E. Forster*

MR. CAWLEY said, he thought it unfair that, at the end of the consideration in Committee of this important Bill, the question of the Ballot should have been brought forward. The right hon. Gentleman had said the Ballot would be prejudiced if the Bill was passed without sanctioning that mode of voting. That was an unfortunate declaration, for it challenged the opinion of Parliament on the subject. He did not entertain such strong objections to the Ballot as many persons, his feeling with regard to it depending very much on the way in which it was carried out. If it did not secure secrecy and protection for the voter it would become a great nuisance and abomination, and he did not believe that simply by the delivery of voting papers secrecy would be secured among the great mass of the people. In order that the Bill might not be endangered elsewhere, the Ballot should be eliminated from the Bill. In that case the Ballot would be adopted in London and other places where the Ballot at present prevailed, and would be excluded only from places where there was no evidence that it would be acceptable.

MR. SCOURFIELD said, he could not help feeling that the good vessel Education was now getting into troubled waters. He denied that there was a general and fair impression in the minds of hon. Gentlemen that the question of the Ballot was to be mixed up with education. This was the real question. Hon. Members opposite had contended that the Education Bill should not drown the Ballot; but he (Mr. Scourfield) thought it was just as likely that the Ballot would drown education.

SIR CHARLES W. DILKE said, that he would so far consent to modify his Amendment that he would omit the word "secret;" but he must remark that what the hon. Member (Mr. Cawley) had said about there being a Ballot in London now must be greatly qualified, because there was no security for protection, and the people did not care about it, so far as the election of the guardians was concerned. It would be a very different thing in the rural districts where the greatest interest would be felt in the election of school Boards.

MR. HERMON said, that if he voted on the present occasion against the proposal under consideration, he might be supposed to be altogether opposed to the



Ballot; but his vote on the Ballot would very much depend on the nature of the Ballot Bill, when it was introduced in its amended form, for he was of opinion that the Ballot, unless it secured secrecy, would do more harm than good. He should not vote for or against the Amendment, but reserve himself on the question of Ballot until he could vote in an independent manner, when the question of the Ballot was brought before the House in its true shape.

LORD JOHN MANNERS said, the Vice President had made a complaint of the hardship of having incidentally in the Education Bill to decide on the constitution of the government of the metropolis, and also to deal with the vexed question of the Ballot. But the Amendment of which he had given Notice would relieve the right hon. Gentleman of the difficulty so far as the Ballot was concerned. Neither in the country nor in that House was there the slightest wish that the Ballot should be insinuated—he would not say foisted, as that word was objected to—into a Schedule of the Education Bill. But the right hon. Gentleman now told them it had been discovered since the second reading of the Bill there were purely educational reasons for establishing a great code of regulations for vote by Ballot. He had listened in vain for those educational reasons. The right hon. Gentleman said it was of great importance that in the country the parents of children should give their votes freely and fairly in the election of school Boards; but why was this distinction made between the parents of children in the rural districts and those of children in the towns? It was a most unworthy imputation against local management in the rural districts, where they exercised their franchise as fully and freely as the ratepayers in the metropolitan boroughs. He altogether denied that the Ballot was necessary to protect the parents of children in the rural districts. At last the Government had come to an agreement with the hon. Baronet the Member for Chelsea (Sir Charles Dilke). There was an amicable arrangement between the two champions of the different kinds of Ballot. The Government accepted the major proposal of the hon. Baronet the Member for Chelsea, and he, in turn, with many protestations, yielded his favourite word “secret.” But what did it all come to? That for the first year—

the crucial year, when the Boards were to be set up, the Education Department would, all over the country, have absolute power to dictate in what mode these elections for school Boards should be conducted. But at whose expense was the machinery for this noble mode of voting, prescribed by a public office in Whitehall, to be carried out? Why, it was to be carried out at the expense of the ratepayers; and they were told that if they did not, without discussion, examination, or deliberation adopt this vague mode of voting, the general question of the Ballot would be prejudged. Nothing could be more absurd. His own opinion was, that if anything was calculated to prejudice that question it was the very course now being adopted by the Government. He maintained that great expense must necessarily attend the adoption of the principle of the Ballot in the case of the Education Bill. There must be polling places; there must be Ballot machines, such, he supposed, as those to which their attention had recently been called. Each machine of that sort, he understood, was estimated to cost £150. Then, too, unless the whole thing was a mockery and a sham there must be a whole army of assessors, means and men to secure the secrecy of vote by Ballot. All this machinery would have to be provided, and at the expense of the ratepayers—it must actually be paid out of the education rate. Would not this tend to make the rate, which would be sufficiently unpopular, perfectly odious? The Vice President urged them to adopt the Ballot in connection with education, and hoped that the general question would be settled next Session. He did not, however, adduce any argument for adopting such a system in the hasty and unsatisfactory manner that was now proposed. If it was the intention of the Government not to proceed with the Ballot for Parliamentary and municipal elections this year, was not that an argument for not proceeding with it this year in regard to education? Did the right hon. Gentleman mean to tell them that next year he would propose that all Parliamentary elections should be taken by Ballot, but that municipal, Poor Law, and other elections should continue to be carried on as now by open and not by secret voting? If he did not mean that, why introduce the Ballot by this extraordi-

nary side wind, enormously increasing the local taxation of the country? The right hon. Gentleman said that in London, under the Metropolitan Management Act, the election of vestrymen was by Ballot; but the hon. Baronet the Member for Chelsea said that was a perfectly futile and inoperative mode of Ballot. He would ask why they should follow the analogy presented by the voting in the London Vestries instead of that presented by the voting for Poor Law Guardians. These elections were conducted at an inconceivably small expense and without annoyance or inconvenience to the ratepayers. In the election the other day at St. Pancras, for instance, a parish with 150,000 ratepayers, where 35,000 votes were recorded, and where the excitement was as great as it was at an ordinary Parliamentary election, the whole expenses to the ratepayers was only £213. But, with the plan proposed by the Government, with polling-places, the Ballot-box, and an army of clerks, to secure secrecy, such an election would cost 10 or 20 times as much. He had reserved his opinion with respect to the more general measure which the Government had before the House, because it should be remembered that there was this vital distinction, that while the expense of the Ballot in the case of Parliamentary elections was to be thrown upon the candidate, in the election of the school Boards the expense would be borne by the ratepayers. He could not, holding these opinions, therefore help censuring the Government for endeavouring to force the Ballot upon the ratepayers of the country in a manner never anticipated or expected; and in the interests of the ratepayers, in the interests of the great cause of education, and he would add in the interests of the Ballot itself, he entreated the Committee to reject this proposal.

MR. W. E. FORSTER said, he thought that the noble Lord had unduly inflated the magnitude of the question. He had stated that next year would be the crucial year for the formation of school Boards. He (Mr. Forster), however, believed that, with the exception of the metropolis, it was difficult to say whether any school Board would be formed at all next year. The only two cases in which they were sure of such Boards being elected were first in the metropolis, where the Ballot already ex-

isted; and secondly, in those districts, which might call at once for them. On the second reading of the Bill the Government, in view of the religious difficulty, felt themselves bound to provide that the election of school Boards in the country should be conducted freely and fairly, and therefore by the Ballot; and accordingly, after Whitsuntide, he gave Notice of Amendments, one of which was the Ballot, and it remained on the Notice Paper from that time to the present. He would remind the hon. Member for Salford (Mr. Cawley) that it was impossible to allow the law to remain exactly as it now was, because the House had imposed upon the Government the adoption of a new form of voting, the new principle of cumulative voting, and the Government were pledged to make special regulations for carrying out the principle. They must decide whether it should be done by Ballot or not. For educational reasons they pledged themselves to legislate in favour of the Ballot; and they would certainly be prejudging the question if they adopted any other principle, such as that suggested by the noble Lord opposite (Lord John Manners), and carried out in the elections of the Poor Law Guardians.

MR. CAWLEY said, he did not intend that they should leave the law as it stood, but that they should leave the present mode of voting as it stood by law. He would remind the Committee that the proposal was entirely new, for it had never been proposed that the elections in the large municipal boroughs should be taken by Ballot. It was not until within the last two or three hours he knew that the Government announced their intention on the subject. It was previously understood that the elections should be vested in the Town Councils, and he heard during the dinner hour that the change had been announced by the Government. The Committee should also bear in mind that if only two or three elections were to be held during the next 12 months, there could be no harm in retaining the present mode of voting during that period. This new proposal would introduce an apple of discord which he thought would endanger the passing of the measure.

COLONEL CORBETT said, he thought the right hon. Gentleman, in his anxiety to avoid the great oppression which he fancied would be exercised in rural dis-



tricts, was preventing a large number of persons from voting who ought to record their opinions in regard to the election of school Boards. In many districts a great number of ratepayers would be unable to vote unless the polling-places were close to their residences. Consequently, either the ratepayers must be put to enormous expense for providing numerous polling-places, or else a large number of people would be unable to record their votes.

SIR JOHN PAKINGTON said, he had listened with astonishment and dismay to the present discussion. It had been stated that this proposal for the Ballot had been for a long time on the face of the Bill; and, though he admitted this to be quite true, it was obvious that the Committee could not discuss the question until it was brought under their notice. There were surely enough difficulties in the way of the Education Bill; and, as a friend to education, who was desirous to see this measure pass, he asked why, in the name of common sense, the Government should embarrass its progress by a most unnecessary and extravagant proposal. During the last 20 years Parliament had been considering the difficulties of an Education Bill, and during that period there had been repeated battles on the subject of the Ballot. Why should the present measure be complicated by the introduction of a mode of voting which was strongly objected to by many hon. Members—not on party grounds, but on principle? He had always opposed the Ballot on principle, being of opinion that all public functions ought to be discharged openly and in the face of day. He could not conceive any greater unwisdom than the complication of the Bill by unnecessarily importing into it a mode of voting which formed the subject of differences between different classes in that House.

MR. DIXON said, that hon. Members opposite were now doing what they had charged them with doing—namely, throwing impediments in the way of passing the Bill. If the Government were now to recede from the principle of the Ballot, it would render them most unpopular with their party.

MR. GATHORNE HARDY said, arguments like those used by the last speaker were not calculated to have much influence with those who sat on

the Opposition side of the House. The disputes of the Government with their supporters below the Gangway did not interest that side of the House any more than the quarrels of those with whom they were not in the least connected. They looked upon them with amusement and occasionally with contempt; but they were not led thereby to adopt measures contrary to their own principles. He entertained the greatest respect for his right hon. Friend the Vice President of the Council, who had acted with reference to this subject of education in a manner which must do him honour in the eyes of the public, and would not make him so unpopular as the Member for Birmingham seemed to suppose. He was astonished, however, that the right hon. Gentleman should ask the Committee to commit to his hands, or to the hands of any other person, the mode of the election of the members of the school Boards. The Committee was asked to allow the Education Department to determine how the voting should be conducted with regard to a question which would not raise animosities, as the hon. Member for Birmingham (Mr. Dixon) thought, but which would furnish a number of posts that would not be much coveted by persons engaged in the political arena. These places would, he believed, be given to and sought by educationists, and not by a clique of politicians, as would have been the case if the election had been vested in the Town Councils. The right hon. Gentleman had stated his views as to the mode of election, and of all the comic means of keeping secrecy, those adopted by the Government in the matter of the Ballot were the most extraordinary. There were to be two nominators and eight seconders for each candidate, and consequently the Government which desired to secure the secrecy of every man's vote insisted on some 500 or 600 persons—as far as the metropolis alone was concerned—declaring their opinions, for, unless they were the greatest hypocrites, they would vote in accordance with the opinions they had declared. However, they would have an opportunity of going into a secret corner and voting against the persons they had proposed or seconded. The Department intrusted with educating the people in moral principles was to inaugurate this system of hypocrisy, treachery, and baseness. He had reluctantly



sacrificed many of his opinions in order that the Bill might be carried; but he warned the Government that the question before the Committee was not one of education at all. Having brought in a Ballot Bill, and finding they could not carry it this year, the Government had determined to throw dust into the eyes of hon. Gentlemen below the Gangway by offering them the Ballot in a matter with which comparatively it had no concern whatever. He told the Government that if they thought they were going to carry the measure in its integrity with the Ballot in it, they would find themselves grievously mistaken. He had sat upon a Committee which had investigated that subject, and he was prepared for a discussion on it when the proper occasion arrived. This was an invasion of all the principles by which they ought to be actuated. Bills were introduced, read a second time, and carried into Committee, reported, and read a third time. What was the course adopted by the Government in reference to the present Bill? It was read a second time, with no such principle as the Ballot in it at all; but, on the contrary, containing a totally different principle. The Bill went into Committee in the same condition as it was in at the second reading. At the suggestion of several hon. Members the Bill was amended *pro forma*; but nothing was said about the Ballot at the time. An hon. Member with a powerful imagination had an impression it was in the original Bill; but this was not so. But in the Bill as amended *pro forma* the Ballot appeared in a Schedule quite different from the one now before the Committee. Thus, the Ballot provision was introduced in Committee, never having been read a first time, and placed in a Bill to which it was wholly inappropriate. If ever there was a case in which the arguments against the Ballot were strong, it was in regard to its introduction in a measure of this kind. It was applied, too, in a perfectly new principle, for the Ballot had never yet been adopted for a cumulative system. He asked, was this a reasonable thing to do in an Education Bill? Hon. Members opposite had been very urgent in their recommendations that the House should divest itself of party feeling and discuss the measure with calmness and moderation, and then, by way of promoting calm-

Mr. Gathorne Hardy

ness, they had introduced a question which had been agitating the political mind for the last 50 years, and which had nothing to do with the subject of the Bill to boot. He could not discover what were the educational reasons for the Ballot referred to by the right hon. Gentleman; but he wished to remind the Committee of the most important arguments brought before it by the hon. and learned Member for Oxford (Mr. Vernon Harcourt) in respect to the unfairness of a rate. The question of expense was no small element in the consideration of this point in the case of a district composed of 40,000 or 50,000 voters. Which was the cheapest way of conducting an election, to carry the poll to the voters or to oblige the voters to go to the poll? The polling of 40,000 or 50,000 voters by the first process would cost £100 or £200; but if the whole machinery of booths, election agents, and canvassers were introduced, the cost would be more like £2,000, and that would be the beginning of the educational charge upon the rates. He wished to know what would be gained by this. Hon. Gentlemen talked of some extraordinary pressure which was to be put upon the electors; but that was a farce and a folly, a sham and a delusion. No doubt, at some contests pressure would be exerted on one side and on the other, from above and from below, pressure which was perfectly legitimate and beneficial, and pressure which he would reprehend as decidedly as any other; but in the case of the election of these school Boards none of these dangers need be anticipated, for nobody could suppose that these offices would be so coveted that there would be partizan candidates such as appeared at municipal or Parliamentary elections. The hon. Member for Birmingham (Mr. Dixon) had taunted them with turning against the Education Bill. It was no such thing; they objected to the Ballot, which had nothing to do with the measure, and they objected only to that and to foisting secret voting into a Bill in a way which could only educate the people in hypocrisy and fraud. ["Oh!"] He did not expect hon. Members opposite to agree with him; he simply expressed his views, and he trusted no one would desire him to profess any other opinion but his own. If the Government found any difficulty in passing this

Bill, they had the satisfaction of knowing they had brought it on themselves; this difficulty would arise not from any want of support from the Opposition with regard to the educational measure itself, but because the Government had thought it necessary to insinuate into the Bill, at the last moment, principles which had no connection with it, and which if they pressed would inevitably result in the rejection of the Bill itself.

Mr. GLADSTONE said, the right hon. Gentleman had made a somewhat heated speech. ["No, no!"] When he had quoted some passages from it he would leave it to the right hon. Gentleman to judge whether the description was not correct, but for the present he would withdraw that remark. The right hon. Gentleman commenced his speech by saying that the disputes of the Government with their supporters below the Gangway did not interest him. He might be permitted to observe that nobody troubled the right hon. Gentleman with any request to undertake that office. It was not at all necessary. Mr. Mill had spoken of the Liberal party as constituting a sort of Broad Church, in which differences of opinion amongst themselves were tolerated, and he (Mr. Gladstone) thought it would be a long time before they had occasion to appeal to anyone sitting on the opposite Benches to undertake an office which no one had a right to intrude upon them. But if the Liberal party habitually tolerated differences amongst themselves, he must take the liberty of observing that there was another party which, though not perhaps so tolerant of them habitually, was exceedingly tolerant of them upon occasions when they thought subjects material to the public interests were involved. The right hon. Gentleman referred to the differences amongst the Liberal party in terms which in other moments he would probably repent. The right hon. Gentleman said that when he saw the differences of opinion between the different classes of persons on that side they were sometimes the subject of amusement to him. That was perfectly fair, and it was some satisfaction to know that if they could not supply the right hon. Gentleman with anything better, they could at least amuse him. But he went on to say that he sometimes viewed these differences with contempt. He (Mr. Gladstone) was bound to say

that he hoped the right hon. Gentleman made use of that expression in a period of momentary warmth; because, if that was not so, he must assert respectfully but firmly that that was not a word which ought to be applied by a Member of that House, and still less by one who had held high Office under the Crown, to differences which he might think erroneous. ["No, no!"] At any rate, if hon. Members on the other side claimed that as a proper style of language, in which to refer to any differences of opinion between different sections of the House, he trusted that the claim would be confined to the other side, and would not extend beyond it. The right hon. Gentleman also said that the Government had introduced a Bill with reference to secret voting when they knew they could not pass it. The Government did not deserve that imputation. He challenged the right hon. Gentleman to name any Government which had worked harder for the purpose of passing through the House the Bills it had introduced. When the Government had filled the days and nights of this year as it had with subjects of the greatest importance, did the right hon. Gentleman suppose that they were so poor in credit that they required to bring in a Bill on the subject of secret voting for the sake of maintaining their reputation, or that they could stoop to bring in such a Bill with the knowledge that they could not pass it?

Mr. GATHORNE HARDY said, the right hon. Gentleman had misunderstood him. What he said was, that when the Government found they could not pass the Bill they had introduced, they adopted this mode of dealing with the question. He did not say that the Government had introduced the Bill with the view of its not passing.

Mr. GLADSTONE said, he certainly understood the right hon. Gentleman to say that the Government brought in that Bill knowing that they could not pass it; but he was glad the right hon. Gentleman had now fully conveyed to him what was his meaning. But he could not help feeling that the right hon. Gentleman also went beyond the limits which were fairly allowable to a Member of that House, when he took upon his own responsibility to assure the Committee that if a majority of this House passed the Education Bill, with a pro-



vision as to secret voting, they would find that they were mistaken in expecting the Bill to pass. The right hon. Gentleman might be perfectly entitled to entertain that as his opinion; but he had no title to announce it as a conviction. Therefore, he thought he was justified in stating that warmth of the moment had characterized some portions of the right hon. Gentleman's speech. However, it was much more pleasant to think not of this or that isolated expression, but of the friendly and liberal manner in which the right hon. Gentleman, and those who sat near him, had striven, in all their proceedings hitherto on that Bill, to promote the purpose which they held in common with the Government, even at the expense of many of their individual opinions. He would endeavour to forget the matters of which he had felt it his duty to speak, and address himself to the charges which had been made against the Government by the right hon. Gentleman and the right hon. Baronet the Member for Droitwich (Sir John Pakington). These charges were chiefly two. In the first place, it was said they were introducing into the Education Bill a proposal totally inconsistent with education; and, secondly, that the matter which they were thus thrusting into the Education Bill was in the nature of a serious innovation, which hon. Members opposite were entitled and felt themselves called upon to resist to the utmost. He wished to contest both these propositions. There was another point, relating to the amount of discretion to be reserved to the Education Department; but that was a matter which might be easily arranged, and it had nothing to do with the real question at issue. The Government contended that the Ballot was, under present circumstances, closely and logically connected with education. This was a Rating Bill, and it was necessary by it to provide means of election; and thus, by an indissoluble bond, the provisions they were making for promoting national education were interwoven with the absolute necessity of dealing with modes of local election. The Ballot was equally connected with the subject as regarded the history of the case, because it was admitted that in the debate upon the second reading of the Education Bill they declared that they felt it to be absolutely necessary to secure, as far as possible, the personal

freedom and independence of the parents in these elections, and to make that consideration paramount in their provisions with regard to the constitutions and the mode of election of the Boards. The pledge contained in that declaration the Government had redeemed by introducing before the month of May had expired the provisions which were now under discussion, and which were intended to give the utmost independence of action to those who elected the Boards. In reply to the allegation that the introduction of the Ballot as the mode of election was an innovation, he would ask, was that statement true? If this was the first occasion on which secret voting was used to carry out a particular purpose, then the objections of the opponents of the measure might be, in a great measure, justified. But this was not the case. There were two laws on the statute book recognizing and justifying secret voting in connection with local and particular purposes. The first was the Metropolitan Local Management Act, where it was compulsory, and the second was the Vestries Act, for the better regulation of vestries, where it was optional, but so optional that it might be demanded by any five rate-payers. Now, when was this Bill passed? Was it a recent innovation—was it the fruit of household suffrage—was it the fruit, even, of the £10 householder suffrage? No; it was in an Act passed in the reign of William IV., but before the introduction of the first Reform Bill, that this innovation which was so greatly condemned by some opponents was introduced. It was impossible, under these circumstances, to look upon the present proposal as an unheard-of innovation, now sought for the first time to be thrust upon Parliament. It was clear that the system of secret voting had already been applied to cases where it was important to secure independence of election for purposes of local government. Here was a new purpose of local government, in which it was most essential that independence of election should be maintained, and, accordingly, Her Majesty's Government had resorted to the method recognized by Parliament before the first Reform Bill as being the best to secure that end. And had there been any extraordinary demand made upon hon. Gentlemen opposite? He confidentially asked them to admit this, that they had



reduced to the lowest possible point the claim they made upon them; they felt that with the great question of the mode of taking Parliamentary elections so close impending, they might naturally feel a jealousy which, however, the Parliament of William IV. did not appear to have felt—that they were called upon to give a vote which might afterwards be cited as a precedent against them. But then look at the position of the Government. They must either ask hon. Gentlemen to yield something, or they must make a great, and as they felt, an unnecessary condition themselves. They were dealing with a question in which the independence of the ratepayers was, above all things, the great and paramount object. Was it unnecessary or unreasonable that in such a case they should follow what they believed to be the predominant feeling in the House. They did not object to hon. Gentlemen opposite saying that they were opposed to the Ballot, and that they would resist it in every form. But they did object to much of the language that had been used; to their saying that this was something monstrous—that the House was taken by surprise. Why, the proposition for secret voting was one that had been adopted into the Bill more than two months ago, when he described the mode in which it was proposed that the elections should be taken. When his right hon. Friend the Vice President of the Council proceeded to carry out the engagements into which they had entered, he naturally adopted without any check the principle of secret voting. But as they came nearer to the point, they felt that it was their duty to make as small a demand as possible upon hon. Gentlemen opposite to reduce their claims to the minimum, and they had therefore introduced that reference to the Privy Council which the right hon. Gentleman opposite described as an additional offence, and they had reduced the limitation as to time. He should not have wondered if a complaint had come from below the Gangway, that the introduction of these provisional regulations was evidence that the Ballot was not to be a permanent measure. The Government asked for the adoption of this principle only in the case of those elections that might emerge in the course of the next 12 months. Then they were told that enormous expense would attend the working of this

principle of secret voting. Was it not odd that the unreformed Parliament of 1831 was not terrified by this question of expense? If they were not, why was the present Parliament, that was elected by the free suffrages of the people of England, to be terrified at an expense of which Parliaments less popular and democratic — no, he would not say less popular, were not afraid? The noble Lord opposite (Lord John Manners) talked of the election for the parish of St. Pancras. Had the noble Lord ever heard the dearness of secret voting complained of? The noble Lord said if that election had taken place by secret voting it would have cost £2,000. What was the noble Lord's authority for that statement? There were thousands of vestries that had been elected by secret voting, and who had ever heard of their being more expensive than on the open system? He thought a great deal of matter had been imported into this question that was quite unnecessary. He did not wonder that they should object to secret voting. It was quite right and fair that they should oppose it. But there were other things that were not so—the language that had been used—the prophecies of failure — the allusions to what would be done in the other House. ["No, no!"] Well, he was delighted to hear the disclaimer; he did not wish to catch the right hon. Gentleman in the use of a word, though he must say nothing could be more distinct than the language that was used. ["No, no!"] If not so, then let them look at the question in itself. It was not of large dimensions, for it was only in rare cases that the power would be used before the time when the definitive judgment of Parliament would be called for. He hoped the House would see that the Government was asking the least concession that would be sufficient for the purpose they had in view, while for that purpose they felt that what they voted for was a paramount necessity. It was in this spirit, whether the sense of the House was to be taken upon it or not, that they viewed it—it was in this sense they voted for it, and they were anxious to show right hon. and hon. Gentlemen on the Opposition side that they appreciated the spirit in which they had striven to deal with this Bill; but if the proposition of the Government was disagreeable to them, it was yet in the mildest

form to which they could give it effect consistent with their own pledges.

MR. GATHORNE HARDY said, he wished to express his regret for having used the word "contempt." He thought it due to the right hon. Gentleman and the Committee to do so. That word did not convey his meaning. What he meant to convey was that he viewed the quarrels to which he referred with amusement and indifference, but not with contempt.

MR. HENLEY said, he could quite feel after what had been stated by the right hon. Gentleman the Vice President of the Council and also by the Prime Minister, supplemented as it had been by the hon. Member for Birmingham (Mr. Dixon), what were the circumstances of pressure under which this change had been made. It was impossible not to feel for the position the Government was placed in. But what he wished to observe was this—the time of the introduction of this element of discord—he must not call it new, as the right hon. Gentleman had discovered some old statutes that were drawn on the same principle. He was glad to find that the right hon. Gentleman was in any circumstances inclined to look back. But what struck him was the utter misgiving and mistrust with which the Government had introduced this change. As the Bill was first drawn the school Boards were to be elected on the old principle of election, and the Government were then content to trust them, unless there should be some statutory Department to frame the directions laid down for them. But, now that they had introduced secret voting, were they as content to trust them as before? Not a bit of it. Look at the clause passed early in the evening, by which the Government took powers to sweep away the Boards so elected by secret voting, without assigning any reason. They would not trust them; but they took power to sweep them away entirely, subject only to the control of this House. That was what the Government proposed to do with the Boards elected by Ballot—they took arbitrary power to reject them after they were elected. There was not a more arbitrary clause to be found anywhere, and it was only introduced into the Bill at the same time with secret voting. That showed the opinion of the Government itself upon the subject. For

*Mr. Gladstone*

himself, he was never fond of secret voting. He hated all secret proceedings; but he thought this showed the mistrust of the Government itself as to the change. If the Government could not trust its own child, with what face could they ask the House to trust it? For that reason alone he should refuse to support this proposition of the Government.

MR. LIDDELL admitted this was a small matter, but it involved a large principle. He wished to ask the Government what was the necessity for introducing this secret principle into the elections of the school Boards? Its introduction would give an impulse to the movement in favour of the Ballot, for which the country was not prepared. He was not going to discuss the question of the Ballot. The people of England had never looked the principle of the Ballot in the face, and they certainly were not prepared to admit it by the back door. The great argument in favour of the adoption of the Ballot was that it produced tranquillity at elections; but what reason was there for supposing that the elections of school Boards would be anything but tranquil and commonplace occurrences? His opinion was that they would be both commonplace and dull, because the Bill itself was a great compromise. There was no reason for supposing that the freedom of action of the parents would in any way be restrained—that, in fact, it was impossible that any coercion could be practised upon them. To attempt to secure tranquillity by secret voting was a pure myth. He hoped the day was distant when the Ballot would be adopted; but if they were to have it let it be discussed openly and upon its merits. If the voice of the country were challenged upon the subject he was certain the majority would be against it.

MR. GREENE said, the Opposition had fairly met the Government on the Bill, and they ought not to be called on to admit, on the consideration of an education measure, a principle in no way connected with it, and which they felt to be an evil of the greatest magnitude. If a Parliament of King William IV. was benighted enough to adopt a Bill introducing the Ballot, all he could say was that he much regretted it. The hon. Member for Birmingham (Mr. Dixon) had lectured the Opposition for what he



termed their desire to stop the progress of the Bill. If he (Mr. Greene) represented a borough so dark as Birmingham he should feel he was doing wrong in stopping it for a moment; but he had the happiness of representing a town in which the Bill would not be required, because there they educated every man, from the highest to the lowest. Gentlemen below the opposite Gangway talked when it suited their purpose of raising the working man to the position of an independent member of society, and now they spoke of him as needing the protection of secret voting. He did not want to make a stalking-horse of the working men of England; but he said they gave their votes as independently as any Member in that House. If they wished to lower the moral standard of the country, they would resort to secret voting, which he, for one, hated even in a club, and whenever he adopted it he invariably disclosed afterwards how he had voted. The thing must be checked in the bud; and therefore he hoped that hon. Members on his side of the House would continue that debate and adjourn it. That proposition was, he believed, brought forward merely to please Members below the opposite Gangway. Where the carcass was there the birds of prey gathered together; and he had observed that evening that hon. Gentlemen opposite had been early in their attendance, hoping that there would be a Division, while Gentleman on his side of the House were at dinner. If they were to have the Ballot, let it be put forward fairly and honestly on its own merits.

MR. NEWDEGATE said, he objected to the introduction of the principle of the Ballot into the Bill, and he complained of the Government, in order to propitiate the hon. Member for Birmingham (Mr. Dixon) and those below the Gangway, having acceded to it. The Government were about to render the Bill agreeable to the hon. Member for Birmingham by introducing the Ballot into it. He viewed with interest any manifestation of independence on the Government side of the House, and he was glad the hon. Member for Birmingham felt he was in a position to be able to make a bargain with the Government, because it was a revival in his person of the character for independence which that town had hitherto maintained.

The hon. Member for Birmingham, who was opposed to the Bill, was likely to have the best of the bargain; but there was little chance of the principle of secret voting being adopted by the House of Lords. Although the right hon. Gentleman the Prime Minister professed himself a neophyte with respect to the Ballot, he must remind that right hon. Gentleman that at one time there was no more earnest opponent of it than the right hon. Gentleman, and he was sure the right hon. Gentleman would forgive him for reminding him that it was the non-adoption of the Ballot by the vestries under the Act of *Will. IV.* that Lord Palmerston relied on showing how distasteful the Ballot was to the people of England. The Ballot was invariably introduced when the once Radical, but now the Liberal, section of the House was short of a cry. He had seen the question wax and wane, but never persevered in earnest, and, notwithstanding Mr. Berkeley's annual exertions, the principle had never been adopted. He further objected to the introduction of such a principle into the Bill after it had been read a second time. Once provide the machinery in every parish for taking the Ballot in these minor elections, and they would be told every time the question was brought forward with reference to Parliamentary elections that, as the expense had been incurred, they had better try it. When he saw hon. Members examining those neat boxes that had been exhibited in that House for taking the Ballot, and studying how they might conceal how they gave their votes, he wished hon. Members should be compelled to purchase one, and have it in his own house, so that John the footman, Sally the cook, and Jane the housemaid, might one by one every Saturday use it as a means of expressing their choice of precedent for the ensuing week. The Ballot was a principle alien to the purpose of the measure, and they were perfectly justified in using every means to defeat it.

MR. W. E. FORSTER said, he wished to know how the Chairman proposed to put the Question? The Government accepted the Motion down to the end of Paragraph 30.

THE CHAIRMAN said, the proposal of the hon. Baronet (Sir Charles Dilke) was to leave out from the word "held,"



in paragraph 1 of the Rules (Election by a Council), to the end of paragraph 30 of the General Rules, in order to insert the words—

“At such time and in such manner, and in accordance with such regulations, as the Education Department may from time to time by order prescribe, and the Education Department may appoint or direct the appointment of any officers requisite for the purpose of such election: Provided, That any poll shall be taken by a secret ballot.”

LORD JOHN MANNERS asked for some explanation, as those on that side of the House who wished to vote against the Ballot were in a great difficulty as to how they were to vote.

THE CHAIRMAN said, if the words upon which the Question was put were struck out the Committee would be held to have assented to the omission of all the words the hon. Baronet now proposed to omit. The Question would then be put to insert the words which the hon. Baronet the Member for Chelsea proposed, and it would after that be open to the noble Lord to move the omission of any paragraph down to paragraph 30. On the other hand, if the Committee should refuse to omit any of the words which the hon. Baronet proposed to omit, the Question having been put only on the first words it would be open to the noble Lord or any hon. Member to move the omission of any of the subsequent words.

Question, “That the words ‘on the prescribed day’ stand part of the Schedule,” put, and *negatived*.

Question proposed, “That the words

‘At such time and in such manner, and in accordance with such regulations, as the Education Department may from time to time by order prescribe, and the Education Department may appoint or direct the appointment of any officers requisite for the purpose of such election: Provided, That any poll shall be taken by a secret ballot,’ be there added.”

MR. BERESFORD HOPE inquired whether it was competent now to move the omission of any portion of the hon. Baronet’s Amendment. If so, he would move that the words from “provided” be omitted.

THE CHAIRMAN said, the Committee, in assenting to the omission of the words named, had virtually assented to the omission of all the words the hon. Baronet the Member for Chelsea pro-

*The Chairman*

posed to omit. It was now proposed to insert the words of the hon. Baronet, and that Amendment was open to Amendment.

MR. W. E. FORSTER said, he wished to make some verbal Amendment in the hon. Baronet’s Amendment. He would move to insert before “appoint” in line 3, “by order.”

*Amendment amended accordingly.*

MR. W. E. FORSTER moved, after the word “election,” in line 4, to insert “to do all other necessary things preliminary or incidental to such election.”

LORD JOHN MANNERS asked for some explanation of the very vague words which it was now proposed to insert.

MR. W. E. FORSTER said, they were intended to give the Education Department power to conduct the few elections that might be necessary between this time and next year.

MAJOR GENERAL SIR PERCY HERBERT wanted to know whether that included any arrangement incidental to election by Ballot called “stuffing the books.”

MR. W. E. FORSTER said, he could not answer the question, as he had never before heard that expression.

LORD JOHN MANNERS said, that the words showed not only how provisional the arrangement was, but how extremely unwise it was for the Government to force this matter. That was an additional reason, if any were required, for resisting, by every means, in their power, this attempt to force the Ballot.

*Amendment amended accordingly.*

Amendment proposed to the proposed Amendment, after the word “election,” in line 4, to leave out the words “Provided, That any poll shall be taken by a secret ballot.”—(*Mr. Beresford Hope.*)

Question proposed, “That the word ‘Provided’ stand part of the proposed Amendment.”

MR. W. E. FORSTER explained, that although the word “secret” still stood in the Amendment, his hon. Friend had assented to its omission.

COLONEL WILSON-PATTEN wanted to know whether they were or were not going to vote on the question that there should be a poll by Ballot?

MR. W. E. FORSTER said, the objection taken to the word "secret" was, that it raised the question of the kind of Ballot. A Ballot might be compulsorily secret, or it might not, and the Government did not wish to raise that point. The question that would be before the Committee was, whether the poll should be taken by Ballot or not?

MR. COWPER-TEMPLE asked, whether, if the word "secret" were omitted, the right hon. Gentleman would agree to insert the word "public."

MR. HEYGATE said, he thought the discussion which had taken place would suffice to show that the Government had made a great mistake in introducing this question, because up to that moment the Committee were advancing rapidly and happily to a conclusion; very many Members on his side of the House having sacrificed their cherished opinions for the sake of facilitating the progress of the measure and of arriving at an amicable conclusion on a very difficult matter. It would not be denied that many of them did not see the necessity for so great a change, yet, having sacrificed their opinions, they had now to meet a question which sought, by a side wind, to change the constitution of the country. If the Government wished to arrive at a rapid settlement of the subject they should withdraw that change and fall back upon the old mode of voting, for the change had no connection with the Bill, and its introduction by the Government was an element of discord which might well have been avoided. He trusted that his right hon. Friend, who had throughout the progress of the measure shown such a conciliatory disposition, would again consider this question before pressing it to a Division.

VISCOUNT GALWAY said, he wished to see the Bill passed, and having on all occasions voted with the Vice President, he regretted that the right hon. Gentleman had wantonly introduced this subject into the debate. It seemed to him that the Government did not altogether like the proposed Ballot, for they had resolved to suggest that the word "secret" should be omitted. He should like to hear from the noble Marquess (the Marquess of Hartington) whether the word "secret" was in the Parliamentary Elections Bill, and, if so, whether it was his intention to strike it out of that measure.

MR. JAMES said, he fully appreciated the feelings of hon. Members opposite when they desired that the Ballot should not be made part of the law, still more fully did he understand the feelings of those who wished that there should be a complete Ballot, while he was most strongly opposed to that method of Ballot which was not to be secret. Treating the Ballot as a remedy for an evil, he would accept it or entirely discard it; for if he were sick and a physician sent him a potion he might take it, or he might refuse it, but he could not be right in taking only half of it. The Government asked the Committee to give powers to the Education Boards to employ not a secret Ballot, but one in which it might be disclosed how an elector had recorded his vote. It was against such a method that he protested, and it was admitted that the Committee could not now discuss this question. Hon. Members opposite might easily state their objections to the Ballot; but it was difficult to express opposition to a mode of semi-Ballot, because hon. Members might be unable to show how they wished to alter the law in order to render security unnecessary. He should be unwillingly compelled not to vote on the proposition now before the House, and therefore wished to justify that course.

LORD CLAUD HAMILTON said, he wished to inquire of the Chairman whether, if hon. Members were first asked to vote upon the words "that any poll shall be taken by a secret Ballot," the Government would afterwards be at liberty to propose to omit the word "secret?" That form seemed to him to be exceedingly inconvenient and clumsy, besides which he had a recollection that, when the Committee had once passed any proposition, those who had carried it were apt to say that the House had assented to a principle. He did not wish to hear that said when the right hon. Gentleman proposed to abstract the word "secret," thereby weakening the proposition; and he, therefore, asked whether, if the Committee assented to the proposition now before it, hon. Members would be considered to have pledged themselves on the subject of secret voting?

THE CHAIRMAN said, it was not for him to say what interpretation hon. Members should put upon the words of any proposition that was submitted to

[Committee—New Schedule.]

them. It was now proposed to omit the words "Provided, That any poll shall be taken by a secret Ballot," and the Question he should put was on the first word only. If the Committee negatived that word they would be held to have negatived all the subsequent ones, and to have assented to the Motion of the hon. Member for Cambridge University (Mr. Beresford Hope). On the other hand, if the Committee decided that the word "provided" should stand part of the proposed Amendment, they would not have precluded themselves from amending the subsequent words, and it would therefore be open to any hon. Member to propose the omission of the word "secret."

COLONEL BARTELOT said, he was anxious that the Government should have one night of calm reflection on the subject now before the Committee in order to decide whether they would take half the potion or not. He, therefore, moved that the Chairman should report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Barttelot.*)

MR. GLADSTONE said, he could hardly believe that the hon. and gallant Member was serious in his proposition. The Committee had now arrived at the only point which remained for discussion, and if the hon. and gallant Member thought that the Committee might arrive at a decision which was adverse to him, he would have an opportunity of challenging that decision at another stage of the Bill. The Government proposition, which had been before the House for six weeks, had been modified to-night, but modified in such a way as to bring it nearer to the views of the hon. and gallant Gentleman. Under the circumstances, and at this late period of the Session, he thought it would be the duty of the Committee to utterly resist all Motions intended to consume the remainder of the evening and waste valuable time; and he felt confident that, if the Motion was persevered in, the hon. and gallant Gentleman would fail in obtaining the support even of those among whom he sat.

MR. DISRAELI said, he had also supposed that they were on the eve of passing an Education Bill which, on the

whole, enlisted the respectful sympathies of both sides of the House. It was remarkable, however, that Her Majesty's Government had been able to excite passions at the last moment. This, he thought, was quite unnecessary. The right hon. Gentleman truly remarked that this plan had been before the Committee for a considerable time; but the right hon. Gentleman had omitted to mention that it had been greatly modified in some of its most important features, and for himself he was bound to say, in respect of the subject now before them, that it was a most unfortunate determination on the part of the Government to ask them to decide on a great principle of politics by a side wind, by remitting to a question which, of all others, widely enlisted the sympathies of all sections and parties in the country working for a common end, another subject upon which, no doubt, great controversy existed. But this measure of education had even to-night, as he had learned to his surprise—for he had thought it was pretty well safe and settled—received considerable changes and modifications; and, under the circumstances, he could not think the Motion of his hon. and gallant Friend the Member for West Sussex (Colonel Barttelot) so ill-timed as the right hon. Gentleman appeared to imagine.

Question put.

The Committee *divided*:—Ayes 136; Noes 244: Majority 108.

Question put, "That the word 'Provided' stand part of the proposed Amendment."

The Committee *divided*:—Ayes 234; Noes 155: Majority 79.

#### AYES.

|                        |                         |
|------------------------|-------------------------|
| Aceland, T. D.         | Bentall, E. H.          |
| Adam, W. P.            | Bolckow, H. W. F.       |
| Allen, W. S.           | Bowmont, Marquess of    |
| Anderson, G.           | Bowring, E. A.          |
| Anstruther, Sir R.     | Brand, right hon. H.    |
| Armitstead, G.         | Brassey, H. A.          |
| Ayrton, rt. hon. A. S. | Brassey, T.             |
| Aytoun, R. S.          | Brewer, Dr.             |
| Backhouse, E.          | Bright, J. (Manchester) |
| Baines, E.             | Brinckman, Captain      |
| Baker, R. B. W.        | Brogden, A.             |
| Bass, A.               | Brown, A. H.            |
| Baxter, W. E.          | Browne, G. E.           |
| Bazley, Sir T.         | Bruce, Lord C.          |
| Beaumont, Captain F.   | Bruce, right hon. H. A. |
| Beaumont, H. F.        | Buxton, C.              |
| Beaumont, S. A.        | Campbell, H.            |



Candlish, J.  
Cardwell, right hon. E.  
Carnegie, hon. C.  
Carter, Mr. Alderman  
Cartwright, W. C.  
Castlerosse, Viscount  
Cave, T.  
Cavendish, Lord F. C.  
Cavendish, Lord G.  
Chadwick, D.  
Cholmeley, Captain  
Cholmeley, Sir M.  
Clay, J.  
Coleridge, Sir J. D.  
Collier, Sir R. P.  
Cowen, J.  
Cowper, hon. H. F.  
Craufurd, E. H. J.  
Crawford, R. W.  
Dalglish, R.  
Dalrymple, D.  
Davies, R.  
Dease, E.  
Dickinson, S. S.  
Digby, K. T.  
Dillwyn, L. L.  
Dixon, G.  
Dodds, J.  
Downing, M'C.  
Dowse, R.  
Duff, M. E. G.  
Dundas, F.  
Edwardes, hon. Col. W.  
Edwards, H.  
Egerton, Capt. hon. F.  
Enfield, Viscount  
Ersine, Admiral J. E.  
Esmonde, Sir J.  
Ewing, H. E. C.  
Eykyn, R.  
Fawcett, H.  
Finnie, W.  
FitzGerald, right hon.  
Lord O. A.  
Fitzmaurice, Lord E.  
Forster, C.  
Forster, rt. hon. W. E.  
Fortescue, rt. hon. C. P.  
Fothergill, R.  
Fowler, W.  
Gavin, Major  
Gladstone, rt. hn. W. E.  
Gladstone, W. H.  
Goschen, rt. hon. G. J.  
Gower, hon. E. F. L.  
Gower, Lord R.  
Graham, W.  
Gregory, W. H.  
Greville, hon. Captain  
Grieve, J. J.  
Grosvenor, hon. N.  
Grosvenor, Capt. R. W.  
Grove, T. F.  
Hamilton, J. G. C.  
Hamner, Sir J.  
Harcourt, W. G. G. V. V.  
Hardcastle, J. A.  
Harris, J. D.  
Hartington, Marquess of  
Haviland-Burke, E.  
Hay, Lord J.  
Henderson, J.

Herbert, hon. A. E. W.  
Hibbert, J. T.  
Hoare, Sir H. A.  
Hodgkinson, G.  
Hodgson, K. D.  
Holland, S.  
Holms, J.  
Hornby, E. K.  
Hoskyns, C. Wren-  
Howard, hon. C. W. G.  
Hughes, T.  
Hurst, R. H.  
Illingworth, A.  
Jardine, R.  
Johnston, A.  
Kay-Shuttleworth, U. J.  
Kinnaird, hon. A. F.  
Knatchbull - Hugessen,  
E. H.  
Lambert, N. G.  
Lancaster, J.  
Lawrence, Sir J. C.  
Lawrence, W.  
Lawson, Sir W.  
Leatham, E. A.  
Lefevre, G. J. S.  
Lewis, J. D.  
Lewis, J. H.  
Lloyd, Sir T. D.  
Locke, J.  
Lowe, rt. hon. R.  
Lubbock, Sir J.  
Lush, Dr.  
Lusk, A.  
Lytelton, hon. C. G.  
McArthur, W.  
McClure, T.  
McCombie, W.  
Macfie, R. A.  
Mackintosh, E. W.  
McLagan, P.  
McLaren, D.  
McMahon, P.  
Magniac, C.  
Maguire, J. F.  
Maring, S. S.  
Mellor, T. W.  
Melly, G.  
Miall, E.  
Miller, J.  
Mitchell, T. A.  
Monk, C. J.  
Monsell, rt. hon. W.  
Morgan, G. O.  
Morley, S.  
Morrison, W.  
Mundella, A. J.  
Muntz, P. H.  
Murphy, N. D.  
Nicol, J. D.  
Norwood, C. M.  
O'Connor, D. M.  
Ogilvy, Sir J.  
O'Loughlin, rt. hon. Sir  
C. M.  
O'Reilly, M. W.  
Otway, A. J.  
Palmer, J. H.  
Parker, C. S.  
Pease, J. W.  
Peel, A. W.  
Philips, R. N.

Pim, J.  
Platt, J.  
Playfair, L.  
Plimsoil, S.  
Potter, E.  
Potter, T. B.  
Power, J. T.  
Price, W. P.  
Rathbone, W.  
Rebow, J. G.  
Reed, C.  
Richard, H.  
Richards, E. M.  
Robertson, D.  
Roden, W. S.  
Russell, A.  
Russell, F. W.  
Rylands, P.  
Salomons, Sir D.  
Samuda, J. D'A.  
Samuelson, B.  
Samuelson, H. B.  
Sartoris, E. J.  
Seely, C. (Lincoln)  
Seely, C. (Nottingham)  
Shaw, R.  
Sheridan, H. B.  
Sherlock, D.  
Sheriff, A. C.  
Simon, Mr. Serjeant  
Sinclair, Sir J. G. T.  
Smith, E.

Stansfeld, rt. hon. J.  
Stapleton, J.  
Stevenson, J. C.  
Strutt, hon. H.  
Stuart, Colonel  
Synan, E. J.  
Taylor, P. A.  
Tillet, J. H.  
Tollemache, hon. F. J.  
Torrens, R. R.  
Torrens, W. T. M'C.  
Tracy, hon. C. R. D.  
Hanbury-  
Trelawny, Sir J. S.  
Trevelyan, G. O.  
Villiers, rt. hon. C. P.  
Vivian, A. P.  
Vivian, Capt. hon. J. C. W.  
Vivian, H. H.  
Wedderburn, Sir D.  
White, J.  
Whitwell, J.  
Whitworth, T.  
Williams, W.  
Wingfield, Sir C.  
Winterbotham, H. S. P.  
Young, A. W.  
Young, G.

## TELLERS.

Dilke, Sir C. W.  
Glyn, hon. G. G.

## NOES.

Allen, Major  
Amphlett, R. P.  
Archdall, Captain M.  
Arkwright, R.  
Barnett, H.  
Barrington, Viscount  
Barttelot, Colonel  
Bathurst, A. A.  
Beach, W. W. B.  
Bentinck, G. C.  
Beresford, Lt.-Col. M.  
Bingham, Lord  
Birley, H.  
Bourke, hon. R.  
Bourne, Colonel  
Bright, R.  
Brise, Colonel R.  
Broadley, W. H. H.  
Brodrick, hon. W.  
Bruce, Sir H. H.  
Cameron, D.  
Cartwright, F.  
Cave, right hon. S.  
Cecil, Lord E. H. B. G.  
Chaplin, H.  
Child, Sir S.  
Collins, T.  
Colthurst, Sir G. C.  
Corbett, Colonel  
Corrance, F. S.  
Corry, rt. hon. H. T. L.  
Cowper-Temple, rt. hn W  
Crichton, Viscount  
Cubitt, G.  
Dickson, Major A. G.  
Dimsdale, R.  
Israeli, right hon. B.

Dowdeswell, W. E.  
Duncombe, hon. Col.  
Dyke, W. H.  
Dyott, Colonel R.  
Eatons, H. W.  
Egerton, Sir P. G.  
Elliot, G.  
Elphinstone, Sir J. D. H.  
Ennis, J. J.  
Ewing, A. O.  
Feilden, H. M.  
Fielden, J.  
Figgins, J.  
Floyer, J.  
Forester, rt. hon. Gen.  
Fowler, R. N.  
Gallwey, Sir W. P.  
Galway, Viscount  
Gilpin, Colonel  
Goldney, G.  
Gore, J. R. O.  
Gore, W. R. O.  
Grant, Col. hon. J.  
Graves, S. R.  
Gray, Lieut.-Colonel  
Greaves, E.  
Greene, E.  
Gregory, G. B.  
Guest, A. E.  
Gurney, right hon. R.  
Hambro, C.  
Hamilton, Lord C.  
Hamilton, Lord G.  
Hamilton, I. T.  
Hardy, right hon. G.  
Hardy, J.  
Hardy, J. S.

|                          |                           |
|--------------------------|---------------------------|
| Hay, Sir J. C. D.        | North, Colonel            |
| Henley, rt. hon. J. W.   | Northcote, rt. hon. Sir   |
| Herbert, rt. hon. Gen.   | S. II.                    |
| Sir P.                   | Pakington, rt. hn. Sir J. |
| Hervey, Lord A. H. C.    | Palk, Sir L.              |
| Hesketh, Sir T. G.       | Parker, Lt.-Col. W.       |
| Heygate, W. U.           | Patten, rt. hon. Col. W.  |
| Hick, J.                 | Pell, A.                  |
| Hildyard, T. B. T.       | Percy, Earl               |
| Hodgson, W. N.           | Phipps, C. P.             |
| Holt, J. M.              | Powell, W.                |
| Hood, Captain hon. A.    | Raikes, H. C.             |
| W. A. N.                 | Read, C. S.               |
| Hutton, J.               | Ridley, M. W.             |
| Jenkinson, Sir G. S.     | Round, J.                 |
| Jones, J.                | Sackville, S. G. S.       |
| Kekewich, S. T.          | Sandon, Viscount          |
| Kennaway, J. H.          | Selater-Booth, G.         |
| Knight, F. W.            | Scourfield, J. H.         |
| Lacon, Sir E. H. K.      | Seymour, H. de G.         |
| Laird, J.                | Smith, R.                 |
| Langton, W. G.           | Smith, S. G.              |
| Legh, W. J.              | Smith, W. H.              |
| Lennox, Lord G. G.       | Stanley, hon. F.          |
| Lennox, Lord H. G.       | Starkie, J. P. C.         |
| Liddell, hon. H. G.      | Sykes, C.                 |
| Lindsay, hon. Colonel C. | Taylor, rt. hon. Colonel  |
| Lindsay, Colonel R. L.   | Tollemache, J.            |
| Lopes, Sir M.            | Turner, C.                |
| Lowther, J.              | Turnor, E.                |
| Lowther, W.              | Vance, J.                 |
| Mahon, Viscount          | Waterhouse, S.            |
| Manners, rt. hn. Lord J. | Welby, W. E.              |
| Meyrick, T.              | Wethered, T. O.           |
| Miles, hon. G. W.        | Wheelhouse, W. S. J.      |
| Mills, C. H.             | Wilmot, H.                |
| Montagu, rt. hn. Lord R. | Wise, H. C.               |
| Montgomery, Sir G. G.    | Winn, R.                  |
| Morgan, C. O.            | Wynn, C. W. W.            |
| Morgan, hon. Major       | Wynn, Sir W. W.           |
| Mowbray, rt. hon. J. R.  |                           |
| Neville-Grenville, R.    |                           |
| Newdegate, C. N.         | TELLERS.                  |
| Noel, hon. G. J.         | Cawley, C. E.             |
|                          | Hope, A. J. B. B.         |

LORD CLAUD HAMILTON said, he should move the omission of the word "a" for the purpose of afterwards inserting the words "voting papers." He had voted with his right hon. Friend (Mr. W. E. Forster) night after night, and he could not express how deep was his regret that at the eleventh hour such an unfortunate element should have been introduced. He hoped that no person would be found imputing motives to those who felt themselves bound to take up a position of painful hostility to the measure. He could not support secret voting, as it was contrary to the system which had been the honour and glory of England.

Amendment proposed to the proposed Amendment, to leave out the word "a," in order to insert the words "voting papers."—(*Lord Claud Hamilton.*)

MR. W. E. FORSTER said, the Government would agree with the noble

Lord opposite in omitting the word "a," because for reasons which he had already stated, they proposed to omit the words "a secret." He must be allowed for the sake of his own position, and as having charge of the Bill, to state that while he did not in the slightest degree blame hon. Members opposite in voting against the Ballot, even though limited in its operation to one year, it was hardly fair upon him when they expressed surprise at his now proposing on the part of the Government the Amendment of which he had given Notice six weeks ago, and to which the Government were pledged to such an extent that he should almost have forfeited his personal honour if he had neglected to bring it forward. Seeing that the Committee was now much more full than than it had been at an earlier period of the evening he wished to state that the reason why he proposed to omit the words "a secret," was not because they did not intend to secure secrecy, for they intended to secure such a Ballot as would give the fullest protection to the voters from intimidation, but because the hon. Baronet opposite had by a strange construction of the words discovered that they meant a Ballot which must be secret, rather than a Ballot which might be secret. They did not look forward to a sham Ballot, but one that would protect all who needed it in recording their votes. With regard to the particular Amendment under consideration, the Government agreed with the noble Lord's proposal to omit the word "a."

VISCOUNT SANDON said, that having, in common with others on that side of the House, supported the Education Bill very cordially for some time, giving up many of their own predilections, and laying aside points of difference at some sacrifice of their own feelings, he felt that they had a just right to be greatly grieved on that occasion. He must entirely demur to the justice and wisdom of calling upon the Committee to decide, *à propos* of the Education Bill, the great and important question of the Ballot. They were distinct questions, and the former should not have been brought before them in an indirect manner, for they were surprised to a certain extent into that debate. Greatly as he approved of the Education Bill, he yet thought it was so important not to have matters of this weight and character treated inci-

dentially, as had been done in this instance, that he should feel justified in raising any opposition in his power to the progress of the Bill, on account of entirely extraneous matter having been introduced into it.

MR. BIRLEY said, he fully agreed with the views just expressed by his noble Friend. This was not so much a question of the Ballot as of the confusion into which the Bill had been thrown. The Vice President of the Council had been obliged to leave a most despotic power in the hands of the Privy Council. The Committee ought to have time given it for further consideration of the question.

MR. R. TORRENS said, on a question of this importance, it was of all things necessary that the Committee should have a clear understanding as to what they were about to vote upon. He therefore called upon the right hon. Gentleman the Vice President of the Council to explain to the Committee in a more detailed and distinct manner than he had done what he meant by a Ballot which was not to be secret. He also wished, before he recorded his vote, to have explained to him what possible advantage the Government could expect from a system of Ballot which was not secret. The Ballot was looked upon as a remedy for intimidation, undue influence, and corruption; but how was the desired object to be secured if secrecy were not preserved? By leaving out the words "a secret" the right hon. Gentleman certainly laid himself open to the charge that he had repudiated, that the Ballot proposed would be a sham. He could not support the Government in this matter, unless he were assured that the proposed form of Ballot would protect the voters from intimidation, undue influence, and corruption.

MR. BRODRICK, who rose amid cries of "Divide," said, he did not think he could be accused of having trespassed unduly upon the time of the Committee or of the House. He entirely concurred with the observations of the noble Lord the Member for Liverpool (Viscount Sandon). His opinion was that the Government had thrown great obstacles in the way of the passing of the measure by their attempt to introduce a principle into voting, which he believed would never receive the sanction of the people of this country.

Question put, "That the word 'a' stand part of the proposed Amendment."

The Committee divided:—Ayes 157; Noes 228: Majority 71.

#### AYES.

|                           |                              |
|---------------------------|------------------------------|
| Allen, Major              | Grant, Colonel hon. J.       |
| Amphlett, R. P.           | Graves, S. R.                |
| Archdall, Captain M.      | Gray, Lieut.-Colonel         |
| Arkwright, R.             | Greene, E.                   |
| Ball, J. T.               | Gregory, G. B.               |
| Barnett, H.               | Guest, A. E.                 |
| Barrington, Viscount      | Gurney, right hon. R.        |
| Barttelot, Colonel        | Hambro, C.                   |
| Bathurst, A. A.           | Hamilton, I. T.              |
| Beach, W. W. B.           | Hamilton, Lord G.            |
| Bentinck, G. C.           | Hardy, right hon. G.         |
| Beresford, Lt.-Col. M.    | Hardy, J.                    |
| Bingham, Lord             | Hardy, J. S.                 |
| Birley, H.                | Hay, Sir J. C. D.            |
| Bourke, hon. R.           | Henley, rt. hon. J. W.       |
| Bourne, Colonel           | Herbert, rt. hn. Gen. Sir P. |
| Bright, R.                | Hermion, E.                  |
| Brise, Colonel R.         | Hervey, Lord A. H. C.        |
| Broadley, W. H. H.        | Heygate, W. U.               |
| Brodrick, hon. W.         | Hick, J.                     |
| Brooks, W. C.             | Hildyard, T. B. T.           |
| Bruce, rt. hon. Lord E.   | Hodgson, W. N.               |
| Bruce, Sir H. H.          | Holt, J. M.                  |
| Burrell, Sir P.           | Hood, Captain hon. A.        |
| Bury, Viscount            | W. A. N.                     |
| Cameron, D.               | Hope, A. J. B. B.            |
| Cartwright, F.            | Hutton, J.                   |
| Cave, right hon. S.       | Jenkinson, Sir G. S.         |
| Cawley, C. E.             | Jones, J.                    |
| Cecil, Lord E. H. B. G.   | Knight, F. W.                |
| Chaplin, H.               | Lacon, Sir E. H. K.          |
| Child, Sir S.             | Laird, J.                    |
| Collins, T.               | Langton, W. G.               |
| Colthurst, Sir G. C.      | Lagh, W. J.                  |
| Corbett, Colonel          | Lennox, Lord G. G.           |
| Corrance, F. S.           | Lennox, Lord H. G.           |
| Corry, rt. hon. H. T. L.  | Liddell, hon. H. G.          |
| Crichton, Viscount        | Lindsay, Col. R. L.          |
| Cubitt, G.                | Lopes, Sir M.                |
| Denison, C. B.            | Lowther, J.                  |
| Dickson, Major A. G.      | Lowther, W.                  |
| Dimsdale, R.              | Mahon, Viscount              |
| Disraeli, right hon. B.   | Manners, rt. hn. Lord J.     |
| Dowdeswell, W. E.         | Meyrick, T.                  |
| Duncombe, hon. Col.       | Milles, hon. G. W.           |
| Dyke, W. H.               | Mills, C. H.                 |
| Dyott, Colonel R.         | Montagu, rt. hn. Lord R.     |
| Eaton, H. W.              | Montgomery, Sir G. G.        |
| Egerton, hon. A. F.       | Morgan, C. O.                |
| Egerton, Sir P. G.        | Morgan, hon. Major           |
| Elliot, G.                | Mowbray, rt. hon. J. R.      |
| Elphinstone, Sir J. D. H. | Neville-Grenville, R.        |
| Feilden, H. M.            | Noel, hon. G. J.             |
| Fielden, J.               | North, Colonel               |
| Figgins, J.               | Northcote, rt. hon. Sir      |
| Floyer, J.                | S. H.                        |
| Forester, rt. hon. Gen.   | Pakington, rt. hn. Sir J.    |
| Fowler, R. N.             | Palk, Sir L.                 |
| Gallwey, Sir W. P.        | Parker, Lt.-Colonel W.       |
| Galway, Viscount          | Patten, rt. hon. Col. W.     |
| Gilpin, Colonel           | Pell, A.                     |
| Goldney, G.               | Percy, Earl                  |
| Gordon, E. S.             | Phipps, C. P.                |
| Gore, J. R. O.            | Powell, W.                   |
| Gore, W. R. O.            | Raikes, H. C.                |

[ Committee—New Schedule.



|                          |                          |
|--------------------------|--------------------------|
| Read, C. S.              | Tollemache, J.           |
| Ridley, M. W.            | Turner, C.               |
| Round, J.                | Turnor, E.               |
| Sackville, S. G. S.      | Vance, J.                |
| Sandon, Viscount         | Waterhouse, S.           |
| Sclater-Booth, G.        | Welby, W. E.             |
| Scourfield, J. H.        | Wethered, T. O.          |
| Selwin - Ibbetson, Sir   | Wheelhouse, W. S. J.     |
| H. J.                    | Wilmot, H.               |
| Seymour, H. de G.        | Wise, H. C.              |
| Smith, R.                | Winn, R.                 |
| Smith, S. G.             | Wynn, C. W. W.           |
| Stone, W. H.             | Wynn, Sir W. W.          |
| Stanley, hon. F.         |                          |
| Starkie, J. P. C.        |                          |
| Sykes, C.                | TELLERS.                 |
| Taylor, rt. hon. Colonel | Hamilton, Lord C.        |
|                          | Lindsay, hon. Colonel C. |

Amendment proposed to the proposed Amendment, to leave out the word "secret."—(*Mr. William Edward Forster.*)

THE CHAIRMAN said, it was proposed to amend the proposed Amendment by omitting the word "secret" before "Ballot."

SIR LAWRENCE PALK asked what was meant by that Amendment. He understood that the Ballot was intended to protect the voter from the consequences of his vote, and how could it do that unless it was secret?

THE MARQUESS OF HARTINGTON said, he wished to utter a word as to the term "secret." His hon. Friend the Member for Cambridge (Mr. R. Torrens) was mistaken if he supposed that by omitting the word "secret" the Government meant to say that the Ballot could not be kept secret. His right hon. Friend the Vice President of the Council had explained several times that evening that the word "secret" was capable of bearing, and in the opinion of the hon. Baronet the Member for Chelsea (Sir Charles Dilke) it did bear, the interpretation of limiting the Ballot which was suggested under that clause to a Ballot which was absolutely secret. For himself, he had stated, in bringing in the Bill on Parliamentary Elections, that there were different kinds of Ballot, differing in the degree of secrecy attached to them. It would be very easy to adopt a mode of voting that would secure absolute secrecy, so that whatever might have been the malpractices connected with an election, it could not be discovered in favour of which candidate the fictitious votes had been given. The Ballot which the Government had proposed for Parliamentary elections was

one of a totally different character, and admitted of a scrutiny being applied as easily as in the case of an open system of voting. That was the kind of Ballot which the Government would prefer, and they did not wish by any words in that Bill to pledge the House upon so little discussion as it was possible to give the matter that evening to the adoption, even for that limited purpose, of any particular mode of Ballot. Therefore, they now proposed to omit the word "secret;" and, although it appeared to be new to the House, it did not at all follow from the omission of that word that the Ballot should not be secret.

VISCOUNT GALWAY asked the noble Marquess whether the Ballot was to be open?

Question put, "That the word 'secret' stand part of the proposed Amendment."

The Committee *divided*:—Ayes 47; Noes 288: Majority 241.

#### AYES.

|                      |                        |
|----------------------|------------------------|
| Allen, W. S.         | Morgan, G. O.          |
| Anstruther, Sir R.   | Ogilvy, Sir J.         |
| Aytoun, R. S.        | Palk, Sir L.           |
| Beaumont, S. A.      | Plimsoll, S.           |
| Brewer, Dr.          | Richard, H.            |
| Campbell, H.         | Samuelson, H. B.       |
| Carnegie, hon. C.    | Sherriff, A. C.        |
| Cave, T.             | Simon, Mr. Serjeant    |
| Craufurd, E. H. J.   | Smith, E.              |
| Dilke, Sir C. W.     | Stuart, Colonel        |
| Dillwyn, L. L.       | Taylor, P. A.          |
| Dixon, G.            | Tollemache, hon. F. J. |
| Downing, M'C.        | Torrens, W. T. M'C.    |
| Edwards, H.          | Vivian, H. H.          |
| Eykyn, R.            | Wedderburn, Sir D.     |
| Fawcett, H.          | Whalley, G. H.         |
| Fothergill, R.       | White, J.              |
| Gavin, Major         | Whitworth, T.          |
| Grove, T. F.         | Williams, W.           |
| Hoare, Sir H. A.     | Winterbotham, H. S. P. |
| Hurst, R. H.         | Young, A. W.           |
| Kinnaird, hon. A. F. |                        |
| Lush, Dr.            | TELLERS.               |
| Macfie, R. A.        | James, H.              |
| Mellor, T. W.        | Torrens, R.            |
| Monk, C. J.          |                        |

SIR JAMES ELPHINSTONE said, this was not the period of the night, nor was this the time, for introducing the question of the Ballot. He would, therefore, move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir James Elphinstone.*)

MR. GLADSTONE reminded the hon. Gentleman that they had not only discussed during nearly the whole evening the question of the Ballot, but they had voted upon it by decided majorities; and as the question was now disposed of, he was not aware that any other Motion would arise. He hoped, therefore, the hon. Baronet would not persist.

LORD JOHN MANNERS said, he rose at the same time as the hon. Baronet (Sir Charles Dilke) for the purpose of moving an Amendment, which would really raise the question. The Committee had just eliminated secrecy from the Ballot. They had now only to go one step further and eliminate Ballot from the voting. The words by which he proposed to do that was by moving to omit the word "Ballot" for the purpose of inserting "the method now in force for the election of guardians of the poor."

MR. DISRAELI: I rise to make an appeal to the right hon. Gentleman the First Minister, to consider the position in which the Committee is placed with regard to the proposition before it. In dealing with the education question we had to deal with one of the most difficult of questions—more difficult I believe than the Irish Land Bill, or even the Reform Bill, for all the religious prejudices of every section in the country were enlisted in the discussion. I cannot help feeling that these difficulties were quite enough for even the most ambitious Minister to contend with, and considering the mode in which the proposals of the right hon. Gentleman have been received by the House—that on all sides we have endeavoured to remove obstacles and to facilitate the progress of the Bill, I regret that the right hon. Gentleman should have felt it his duty to introduce another element of difficulty, that one of the most disputed points of controversy of the present day should be brought in at the fag-end of the measure, and that there should be the appearance—I hope it is only the appearance—of obtaining the opinion of Parliament upon it in a manner so objectionable. Acquitting the right hon. Gentleman of any intention of that kind, which, I am sure, is foreign to his nature, we find ourselves in this position—We encountered difficulties with regard to the education question which at one moment appeared insurmountable, and when a successful

conclusion appears at hand, owing not merely to the ability of the Government in the conduct of the measure, but also to the excellent temper and discretion of the House on both sides, this new difficulty, which I think very much to be regretted, has been brought before us. The right hon. Gentleman must see that his proposition does not please a majority of the House, and the late Division showed that there is a considerable section of his constant supporters who do not approve it. I think, therefore, that in deference to a feeling which cannot be mistaken; considering the critical state of foreign affairs; and, considering also the state of Public Business, and the great desirability that we should now proceed in a manner to show the unanimity of Parliament—the right hon. Gentleman might, with perfect dignity and in a temper becoming a powerful Minister, refrain from pressing further a proposition—which, as I may remind the Committee, was not contained in the original measure—which is an unhappy innovation, and which has produced an unfortunate discord at a time when I with many others believed that a considerable measure of national elementary education was, so far as this House is concerned, about to be brought to a conclusion. Again—though it is not a class of considerations upon which I care to dwell, a Cabinet Minister must recollect the spirit in which this measure will be discussed in "another place." When, therefore, we have to offend many prejudices in this House, and have no doubt many difficulties to encounter, and, as I hope, to surmount in "another place," why introduce into a House almost unanimous upon the general question a matter of political controversy, which has already led to much discord, and which may prepare for us difficulties in "another place" at a period of the Session when it is most desirable that all elements of difference between the two Houses should cease. Sir, I hope the right hon. Gentleman will find it consistent with his duty not to press this question, but allow the elections to be conducted as originally proposed, and, as is usual among the ratepayers, by voting papers or more open voting. Let us have the usual custom of the country, that which was contemplated by the Government in their original Bill, and which, under all the circumstances of the case, will meet, more generally than

[Committee—New Schedule.]



the one proposed, the views and wishes of Parliament.

MR. GLADSTONE: I acknowledge the mildness of the language in which the right hon. Gentleman has made his demand upon the Government, and if I am unable to accede to the demand I trust I shall have no occasion to say anything which will make a refusal more disagreeable than it must be from its own nature. The case stands thus—During the discussions on this Bill this is not the first occasion upon which we have had to encounter great difficulties and to give serious offence. When these occasions have arisen we have never been troubled and hindered in our course by any of those more selfish considerations relating to the dignity of the Government which it may be sometimes, unfortunately, necessary to take into view. We have found it unnecessary to fall back upon any considerations of that kind, and we have simply asked what was our duty with regard to the great public interests involved. Upon each of these occasions what we have endeavoured to do has been this—We have striven to reduce to a minimum the cause which was in dispute between ourselves and those who differ from us. That is the manner in which we endeavoured to meet the debates on the second reading and the Amendments subsequently introduced into the Bill. It is not in our power now, or on former occasions, altogether to remove those causes of difference. We have had to encounter from many valued Friends objections to the course we felt it our duty to adopt similar to those now made by opponents, who, as I fully own, by their conduct on this question have merited every consideration at our hands. But the position we now occupy is precisely that in which we have stood before, only with reference to different persons. We have shown our disposition to meet the views of hon. Members opposite, by reducing to the character of a provisional and temporary regulation the adoption of the principle which we propose to introduce into the Bill. The right hon. Gentleman says we have encumbered the measure with a great political difficulty. I venture to question the justice of that criticism; because the principle of secret voting, with reference to local elections for particular purposes, is a principle which already has its place upon the

statute book, and formed no political difficulty when thus enacted. I admit that you may now raise further debates upon the precise terms in which it is proposed to frame this portion of the Bill; but I think I am fully justified in saying that, so far as regards the simple recognition of the principle of secret voting for elections of a local character, it is not true that we have encumbered the Bill with a political difficulty, at least with one which can be reckoned a political innovation. If, then, we are unable to accede to the demand of the right hon. Gentleman, we have not been in the least unwilling that there should have been a full discussion of the question. We shall make no complaint if the discussion is renewed hereafter; but we can only now take the course we have taken during the progress of the Bill—reduce the range of controversy within the narrowest limits, and abide in the last resort by what our public duty seems to demand.

Question put.

The Committee *divided*:—Ayes 114; Noes 210: Majority 96.

Amendment proposed to the proposed Amendment, to leave out the word "ballot," in order to insert the words "the method now in force for the election of guardians of the poor."—(*Lord John Manners.*)

MR. W. E. FORSTER said, he thought this was substantially the question on which they had already divided when they divided on the Motion with reference to voting papers. He merely wished to recall the fact to the attention of the noble Lord, who could not wish to divide the Committee twice on the same question.

Question put, "That the word 'ballot' stand part of the proposed Amendment."

The Committee *divided*:—Ayes 196; Noes 127: Majority 69.

SIR HENRY SELWIN-IBBETSON made an appeal to the Prime Minister, as a steady supporter of his Bill, to support the Amendment he was about to move—that after the word "Ballot" these words should be added—"But the votes given shall be open to the inspection of any ratepayer." As the word secret was given up, there could be no objection to his Amendment.

*Mr. Disraeli*



Amendment proposed to the proposed Amendment, after the word "ballot" to add the words "but the votes given shall be open to the inspection of any ratepayer."—(*Sir Henry Selwin-Ibbetson.*)

MR. SCLATER - BOOTH observed, that the Act of *Will. IV.*, to which the Prime Minister referred, imposed no obligation on the inspectors of the voting papers to make any secret of them after they were delivered.

SIR HENRY HOARE appealed to the Opposition to accept the proposal in favour of the Ballot as *un fait accompli*, and to allow the Bill to go to "another place," where they might hope that it would be deprived of the objectionable feature they so much disliked.

MR. GLADSTONE said, that it was now proposed to convert the word "Ballot" into a mockery. With regard to what had fallen from the hon. Gentleman opposite (Mr. Sclater-Booth) he had to say that by the Act of 1831 the inspectors were forbidden to open the voting papers when delivered, which was the only time when they could be identified with the voter.

LORD JOHN MANNERS asked, whether the Vice President could name any parish where the Act of *Will. IV.* had been put in operation?

MR. NEWDEGATE said, that they were placing in the hands of the Education Department, by the provision under which a scrutiny was to be made, the extraordinary power to cancel any election.

MR. W. E. FORSTER said, he was not aware of any parish where the Act of *Will. IV.* had been put in operation; but a subsequent compulsory Act of the 18 & 19 *Vict.* applied to the whole of the metropolis, and it was probably in the metropolis alone that this election would occur. There was no power given to the inspectors to identify the vote with the voter after the vote was given. It was said that extraordinary powers were now asked for; but the Government only took powers for one year, and not for the purpose of prejudging the Ballot question, but because they were obliged not to let the wheels of the system stop during that year.

MR. COLLINS said, he hoped, if this Amendment was not carried, another would be moved to make the Ballot permissive.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 98; Noes 187: Majority 89.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur Guest.*)

Question put.

The Committee *divided*:—Ayes 90; Noes 178: Majority 88.

MR. VANCE said, he had not until this evening given a vote, because he thought the Bill contained principles which ought not to be extended to Ireland next year. He could, however, no longer restrain himself. He had heard that there was a good deal more business on the Paper, and as he understood that the Dublin City Voters Disfranchisement Bill was to be brought on about 3 o'clock, he thought it would be better that the House should now adjourn. He moved, in conclusion, that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Vance.*)

MR. R. N. FOWLER regretted the decision to which Her Majesty's Government had come to mix up the Ballot with the question of education. Still, hon. Gentlemen on that side of the House had fully expressed their opinion on the subject, and he hoped the Bill would now be allowed to proceed. If the hon. Member for Armagh (Mr. Vance) pressed his Motion to a Division he should be compelled to vote against it.

SIR GEORGE JENKINSON said, he hoped the Government would abandon their intention of incorporating the principle of vote by Ballot in the Bill.

VISCOUNT GALWAY said, he thought the Government might compromise the matter by confining the Ballot to the metropolis.

MR. COLLINS said, he was opposed to treating the metropolis in an exceptional manner.

Question put.

The Committee *divided*:—Ayes 82; Noes 171: Majority 89.

MR. HIBBERT suggested that the Ballot should be taken in accordance with the provisions of 18 & 19 *Vict.*

[Committee—*New Schedule.*]

c. 120, the Metropolitan Government Act.

MR. CAWLEY moved to amend the proposed Amendment by inserting the words "in any district in which the ratepayers shall so determine."

Amendment proposed to the proposed Amendment, to add, after the word "ballot," the words "in any district in which the ratepayers shall so determine."  
—(*Mr. Cawley.*)

Question proposed, "That those words be there added."

MR. GLADSTONE said, he had already stated that the intention of Government was to introduce the principle of secret voting into the election of local Boards, and he could not accept the proposal of the hon. Member for Salford (*Mr. Cawley*). This was the first time since the accession of the present Government to Office that the majority of the House had had to maintain a conflict with a minority. He had before this given way after one Division; but there were cases in which the Public Business was of such importance as made it the duty of the majority to assert its just rights. He was not going to dictate to the House; but his opinion personally was that the present was a case in which the majority should persist, leaving the question of which side was right and which wrong to the intelligent judgment of the country.

LORD JOHN MANNERS said, he was of opinion that the country, when it read to-morrow what had occurred in the House this evening, would unanimously condemn the conduct of Government. If the Bill should be defeated, on the Government would rest the responsibility.

MR. COLLINS suggested that the Ballot be taken according to the provisions of the Vestries Act.

MR. GLADSTONE said, he was perfectly willing to give an unprejudiced consideration to the suggestion of the hon. Member (*Mr. Hibbert*), and would be prepared to discuss it on bringing up the Report to-morrow.

SIR HENRY SELWIN-IBBETSON said, he thought the House ought to close with the proposal of the right hon. Gentleman. His side of the House had made sufficient protest against the Ballot, and they ought now to look to the passing of the Bill.

*Mr. Hibbert*

MR. J. LOWTHER moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. James Lowther.*)

SIR JOHN ESMONDE said, he thought it was not creditable to the House to keep the Prime Minister in such a position. He would suggest, therefore, that the right hon. Gentleman should follow the example of the Leaders of the Opposition, and leave his supporters to fight the battle.

MR. GLADSTONE said, he could not reconsider the principle of Ballot; but he would promise a careful consideration for any other proposal.

Question put.

The Committee divided:—Ayes 64; Noes 161: Majority 97.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Hugh Seymour.*)

Question put.

The Committee divided:—Ayes 56; Noes 161: Majority 105.

Question again proposed, "That those words be there added."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. F. W. Cartwright.*)

Question put.

The Committee divided:—Ayes 59; Noes 160: Majority 101.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Cubitt.*)

Question put.

The Committee divided:—Ayes 30; Noes 148: Majority 118.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Percy Burrell.*)

Question put.

The Committee divided:—Ayes 19; Noes 144: Majority 125.

Bill, as amended, to be reported.

The Clerk Assistant informed the House, that Mr. Speaker was unable to resume the Chair during the present sitting of the House.

Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Standing Order.

Bill reported; as amended, to be considered upon *Tuesday* next, at Two of the clock, and to be printed. [Bill 218.]

#### EXCHEQUER BONDS (£1,300,000) BILL.

##### Resolutions reported;

(1.) "That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £1,300,000, by the issue of Exchequer Bonds."

(2.) "That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds."

(3.) "That the interest of such Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof."

Resolutions agreed to:—Bill ordered to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. STANSFELD.

Bill presented, and read the first time.

#### STAMP DUTIES MANAGEMENT BILL.

On Motion of Mr. STANSFELD, Bill for consolidating and amending the Law relating to the Management of Stamp Duties, ordered to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 220.]

House adjourned at a quarter after Five o'clock in the morning.

## HOUSE OF LORDS,

*Friday, 15th July, 1870.*

#### MINUTES.]—PUBLIC BILLS—*First Reading*—

Juries\* (213); Absconding Debtors\* (214).

*Second Reading*—Liverpool Admiralty District Registrar\* (170); Pier and Harbour Orders Confirmation (No. 2)\* (188); Passengers Act Amendment\* (176).

*Committee—Report*—Customs and Inland Revenue\* (146); Siam and Straits Settlements Jurisdiction\* (197); Charitable Funds Investment\* (181); Rents and Periodical Payments\* (180).

*Third Reading*— (£9,000,000) Consolidated Fund\*, and passed.

#### FRANCE AND PRUSSIA—DECLARATION OF WAR BY FRANCE.—QUESTION.

THE EARL OF MALMESBURY: Although under an Order of your Lord-

ships' House I have no right to put to my noble Friend opposite the Secretary for Foreign Affairs, without giving Notice, any Question with regard to the complications now existing between France and Prussia, yet I think your Lordships will allow me to do so at a moment of such very great anxiety as the present. All the public journals of this evening contain an announcement which must fill your Lordships' minds with anxiety and with the deepest regret. It is no less than this—that France has declared war against Prussia. I shall not say another word, except to ask my noble Friend whether he has any official information of the fact, and whether it is true, or is only a rumour?

EARL GRANVILLE: My Lords, in answer to the Question put to me by my noble Friend, I have to state that Her Majesty's Government have received no official communication of the statement referred to by him as having been made in the French Chambers this afternoon; but I have no reason to doubt the truth of the commercial telegrams and Reuter's despatch which have been received, and it is with the deepest concern and grief that I give credence to the intelligence that war has been declared by France against Prussia. My Lords, I can only add—and I think your Lordships will not wish me to add more—that all the information which will enable you to form a judgment on the conduct of Her Majesty's Government shall be laid on the Table as soon as we can possibly deal with the no inconsiderable mass of Papers relating to the subject.

#### ADMIRALTY—NAVAL RETIREMENT.

##### MOTION FOR PAPERS.

THE DUKE OF SOMERSET, in moving for Copies of Correspondence between Flag Officers and the Admiralty relating to the last scheme of retirement, said, their Lordships were, no doubt, aware that considerable discontent existed among flag officers with reference to the scheme of retirement which had recently been adopted by the Admiralty; but he had thought it right to wait until the immediate differences at the Admiralty were for the time settled before inviting their Lordships' attention to the subject. He made every allowance



for the difficulty in devising any satisfactory scheme of naval retirement, for no officer liked to be put on the shelf, even with an increase of pay; but there were several points in connection with the present scheme to which he was anxious to call attention. The Order in Council of 1866, which—he being then First Lord of the Admiralty—was passed with the approval of many Members of the present Government, provided that any naval officer who had served on the Board of Admiralty should have his time at that Board counted as active service. This regulation was advantageous for the public service, considering the disinclination of many distinguished officers to join the Board, of which he had had personal experience, when it was necessary to fill two vacancies caused within ten days by death, and it was in consequence of this unwillingness that the Order held out to the profession this inducement to give the Admiralty their assistance. It being necessary in these days to have a civilian First Lord, professional assistance, whether in the form of a Board, a Council, or Assistant Secretaries—no matter what it might be called—was indispensable, and it was desirable to obtain men of standing and experience in whom the Navy had confidence for this purpose. The late Order in Council, however, set aside this regulation; and the effect would be that any naval officer joining the Board of Admiralty must either make up his mind to be shelved from active service, or must be constantly endeavouring to return to such service. The reason given for this change, that after 10 years' absence from sea an officer was not fit to command a fleet, he denied. Sir Alexander Milne had been 10 years ashore when he recommended him as a man of great sagacity and ability for the command of the North American and West Indian station at a time when American affairs were in a very delicate position; and Lord Lyons was also appointed to command a fleet after 10 years absence from sea. Under the present Order no such appointments could have been made; and it was surely unstatesmanlike and unwise to fetter the discretion of the Government, and thus to disqualify one who might be the best man in favour of a younger officer for service which, perhaps, required greater experience. He

*The Duke of Somerset*

complained, moreover, of the way in which the Order was passed. The scheme of 1866 was laid on the Table of the House of Commons, and, after about a fortnight, was discussed and sanctioned; but the present Order came by surprise on Parliament and the Navy; and when it was criticized in the House of Commons, the Prime Minister—so report said—rose and said it could not be meddled with, as this would compromise the Prerogative. It was not to be wondered at that when more recently the Prime Minister again came forward with his high transcendental notions of Prerogative, the House of Commons decided against him, and left him in a minority. The practical effect of the Order would be to make naval officers indisposed to join the Admiralty, for fear of losing the chance of rising in their profession. He admitted that the Order of 1866 might have been wisely modified to the extent of providing that five years at the Admiralty should count as service at sea, but no longer period. The officer at the head of a dockyard was to have his time count, and *a fortiori*, a Lord of the Admiralty, whose functions were more important, should be allowed a like advantage. Among those affected by the Order were Sir Michael Seymour and Sir John Hay, the latter of whom had given his time and abilities to the Admiralty, and whom he himself, when First Lord, frequently employed, although politically opposed to him. The Order, again, debarred from the distinctions of Admiral of the Fleet and Vice Admiral and Rear Admiral of the United Kingdom officers not on the active list. These purely honorary positions, with no pay attached to them, surely ought to be given to men who had rendered the greatest services, whether at present on the active list or not. It was conceded that officers in command of a ship before 1815 should be allowed to remain on the active list; but one would have imagined that these officers must have reached an age when active service was not to be expected. It was unwise and unfair to hurt the feelings of distinguished officers by excluding them from these honorary distinctions. One or two points in the scheme would certainly have to be modified, for no Government could permanently cripple itself in the selection of officers. The number of lieutenants was

to be cut down to 600; but in the last Russian War we had more than 600 in active employment; while in 1860 we had 693, in 1861, 712, and in 1862, 650 in active employment. We were now cutting down our lieutenants to the lowest possible amount. No doubt, in case of emergency, assistance might be called in from the Naval Reserve; but he thought we were cutting down the number of officers to such an extent as was hardly compatible with the efficiency of the service. He would leave the matter to the consideration of the Government, hoping they would take an early opportunity of modifying at least that part of the Order which had hurt the feelings of many distinguished officers.

*Moved*, "That there be laid before the House Copies of any Correspondence between Flag Officers and the Admiralty relative to the last scheme of retirement."—(*The Duke of Somerset.*)

THE EARL OF CAMPERDOWN said, there was no objection, on the part of the Admiralty, to the production of the Correspondence moved for. He should, however, ask their Lordships' indulgence whilst he offered a few words in explanation with reference to the Order which had been called in question by the noble Duke. He need hardly remind their Lordships that any great change in the great establishments of the State necessarily affected some interests and called forth a number of dissentients, nor did he deny that a considerable number of letters had been received by the Admiralty complaining of the practical result of the Order in individual cases. He admitted that the Admiralty should be prepared to show that a great change such as this in the Navy was necessary in the interests of the public service, and, at the same time, that it had been effected with as little injustice or injury to the officers affected by it as possible. Now, the facts were simply these—On the 1st January last, of 780 lieutenants, 261 were unemployed; of 401 commanders, 246 were unemployed; of 292 captains, 201 were unemployed; and of 95 flag officers, 81 were unemployed. Their Lordships would therefore see that the Order was not made before it was required. Ever since 1815 our Navy lists had been overcrowded, and it had been found necessary, by a series of shifts and contrivances, to stave

off the evil of that system. When, in 1860, the principle of retirement by age was first proposed and vigorously carried out by the noble Duke (the Duke of Somerset) himself, it was not extended to flag officers; the principle of non-service, namely—that after a certain time officers should be retired from the active list—being applied to commanders and lieutenants, but not to the higher ranks of officers. In 1864 there was a less important change, consisting in a not very large reduction in the number of officers on the active list. The Order of 1866 for the first time ruled that an admiral might be retired; but it made an exception which had been repealed by the late Order. He would now pass to the Order in Council particularly referred to by the noble Duke. The first principle which commended that Order to the approval of their Lordships was that no officer should suffer pecuniary loss by its operation. Any officer who did not wish to accept the pecuniary terms under the new Order could remain under the old Order, and would still have all the same chances of promotion and higher pay which were open to him under the previous Order. The next principle which formed the basis of the new Order was that of sea service. The great object of the Board of Admiralty was to make such arrangements by reducing the active list as would keep a sufficient staff of officers continually at sea, or find them employment whenever they applied for it. Under this Order, moreover, those officers who had borne the burden and heat of the day were in the evening of their lives sure of receiving a much higher sum as retired pay than those who had not served so long a period of their lives on active duty. In respect to what might be called non-service, the Order provided that when a lieutenant or commander had been five years from sea, a captain seven years from sea, or when 10 years had elapsed since an admiral had hauled down his flag, he must join the retired list. The number of admirals on the active list was reduced from 85 to 50. Admirals who served at the Admiralty would count their time there for 10 years exactly in the same way as any other officer; but the time would not count as sea service for the purpose of preventing a flag officer from being placed on the retired list. The most important



regulation was that an officer unemployed for 10 years should haul down his flag. Now, considering the continual reconstruction of the fleet; considering also that iron-clads were becoming more and more the fashion, and employment getting less; that, should war break out, the fighting would be done in a very few weeks, instead of an admiral being expected to sail over the sea for several months before anything decisive occurred, was it unwise that an admiral or captain unemployed for 10 years should not be allowed to have a command? Fifty admirals were a complement ample, but not too large; and it was intended that they should be young and active, and thoroughly fit to command a fleet, while so small amount of service as had of late years been required of flag officers would not continue to be the case. The principle of sea service was supported by high authorities, including Sir John Pakington, who, when the Order of 1866 was published, commenting on the exceptional treatment of Admiralty service, asked why the rule of making an officer either serve or retire should not be uniformly applied. He (the Earl of Camperdown) saw no reason why the Order should prevent flag officers from coming to the Admiralty. It would rather encourage them to join it for five or six years, since there would be a probability of their then obtaining a command. It was desirable, too, that officers should pass more frequently between the Admiralty and the fleet, so as to keep up a communication between them. Could there be a better way of securing Lords of the Admiralty who possessed the confidence of the Navy than the selection of an officer who had lately been at sea, and after a few years would return to active employment? As to vested rights, it was argued that the position of the officers who, under the Order of 1866, accepted service at the Admiralty ought not to be interfered with; but no Order could be passed which did not more or less interfere with existing interests. Up to 1866 the position of an admiral was unassailable—and they might have urged, as in fact they did, that after previous Orders they ought to remain on the active list. Complaints were made then as now, and the flag officers then retired were retired on half their actual pay; whereas the present Order treated them more liberally.

*The Earl of Camperdown*

Sir Frederick Grey and Admiral Eden were members of the Board which framed the Order of 1866, which did not treat individual interests as vested ones, and there was no reason why the principle laid down in that Order should not now be further extended. He had a strong personal respect for each and every one of the officers referred to; and he hoped the explanation he was prepared to give of the principles which actuated the Board of Admiralty would enable their Lordships to judge whether those principles were right or wrong. He believed that, on the whole, the Order commanded the distinct approval of the Navy. As to the number of lieutenants, there was no fair analogy between the circumstances of the Crimean War and the present time. What sized vessels would be employed 10 years hence was uncertain; but nothing like the same number of lieutenants could be employed as at the time of that war. On the noble Duke's own showing not above 100 beyond the present complement would in any event be required. If, however, it were found that 600 lieutenants were too small for the efficiency of the Navy in a time of great emergency it would be easy to increase the number; and this was better than keeping in enforced idleness a number of young officers, to whom we looked for our future captains, commanders, and admirals. The Rear Admiral and Vice Admiral of the United Kingdom clearly ought to be officers on the active list, and they were so treated, and the creation of additional good-service pensions tenable by officers in retirement would prevent any injury to officers now or hereafter on the retired list. If after the Correspondence had been laid on the Table any noble Lord called attention to the matter, it would be his duty to explain the principles on which the Admiralty had acted, and it would be for their Lordships to judge how far they were right.

EARL GREY: I do not differ from my noble Friend (the Earl of Camperdown) as to its having been necessary to make a considerable change in the regulations for promotion and retirement in the Navy; on the contrary, I believe that it would have been expedient to make even a larger change than has been attempted by the Board of Admiralty, and, instead of merely patching up the exist-



ing system of appointing and promoting naval officers, to look more deeply into its inherent defects, with the view of effecting a much more complete reform, and adapting the rules of the service to the wants of the present time. Nor do I join in those complaints which my noble Friend expects to be made as to the bearing of the new regulations on the pecuniary interests of officers—they have other grounds of complaint—but I am prepared to admit that, so far as their pecuniary interests are concerned, the arrangement, on the whole, is not an unfair one. But I chiefly find fault with the measure not on account of the way in which it affects individuals, but because it seems to me injudicious as regards the public, and because the manner in which it was adopted is objectionable. Knowing, as I do, that the House is naturally anxious to proceed to other and important business, omitting all reference to other parts of the recent Order in Council, I will only offer to your Lordships some remarks on the effect of the rules now laid down with regard to the advancement and retirement of flag officers. In the advancement of officers to flag rank, there are two objects in view—first, to create a class of officers eligible for high employment, and, secondly, to confer on officers the reward they have fairly earned by their past services. I think the error into which the Admiralty has fallen has been that of not bearing in mind that in framing the regulations of the service these two objects require to be separately considered. Some years ago I would remind your Lordships that the same difficulties which have led to the promulgation of the recent Order in Council with reference to the naval service, were still more strongly felt in the Army, and that at the beginning of the Crimean War a Commission, of which I had the honour of being a Member, was appointed to consider what changes ought to be made in the rules as to promotion in the Army for the purpose of enlarging the field of selection for officers for important commands. That Commission, which included both several distinguished military officers and gentlemen who had filled high offices in the civil administration of the Army, unanimously came to the conclusion, that unless the two objects I have mentioned—that namely, of providing a sufficiently large class of

officers eligible for commands to afford a proper field for selection, and that of rewarding past services—were separately considered it would be impossible to do justice both to the public on the one hand, and to the officers of the Army on the other. The Commission, therefore, advised in their Report, that in order to extend the field for the selection of officers for command, all colonels who had fulfilled certain conditions of service should be eligible for employment as general officers, without reference to seniority; and that, at the same time, the rules which then existed, and by which officers rose regularly by seniority to the rank of generals, should continue substantially unaltered. This unanimous recommendation of the Commission was adopted by the Government, and the effect was, that while the just expectations of officers of reward for their past services were not interfered with, an ample field was opened for the selection of officers for actual commands from those who were still in the vigour of their age. The system thus adopted in the Army on the advice of the Commission has, in my opinion, on the whole worked well, though, in consequence of some faults of detail in the scheme itself, and of still greater faults in the manner in which it was applied by the authorities to whom the discretion of acting upon it was entrusted, the stream of promotion in the Army is still less rapid than would be desirable. But in the Navy not only in the present, but in previous Orders in Council, a different principle has been adopted. Flag officers have been divided into those on the active and on the retired list; those on the active list being considered alone eligible not only for employment, but also for rising to the highest honorary posts in the profession. Officers are also placed on the one or the other of these lists, not according to their actual fitness for employment, nor yet strictly according to their claims to reward for their past services, but according to arbitrary rules, in which these two considerations are confounded together. Being on the active list does not in the least show that an officer is really fit for employment; it only shows that he has fulfilled certain conditions of service, and that he has served within a certain time. The new rules would allow an admiral to remain on the active list though he had become bedridden, and, on the other

hand, they would have prevented Lord Lyons from being employed in the Crimean War, in which he served with so much advantage to the country, because more than 10 years had elapsed since he was afloat. Surely an arrangement cannot be regarded as satisfactory which would have excluded from employment a man so eminently fit for it as Lord Lyons, and yet provides no security for preventing the list of those eligible for employment from being crowded with officers no longer fit for it. It is not less objectionable in its operation in determining what officers are to succeed to the highest honorary posts in the profession. The new Order in Council says that no officers shall rise to the posts of Admiral of the Fleet or Vice Admiral of the United Kingdom unless they are on the active list. But, I suppose because it was felt that this would inflict an injustice which would be quite intolerable on some officers, a proviso is added that officers who were in the actual command of ships before 1815 should remain on the active list. These officers cannot now be less than 80 years old. Is there any common sense, then, in retaining them on the active list? If being Admiral of the Fleet or Vice Admiral of the United Kingdom implied that the officers holding these posts were to go to sea, it would be simply absurd to provide for allowing them to be held by men of so advanced an age; but if—as is the fact—these are merely honorary appointments, look at the injustice which will be inflicted by confining them to officers on the active list, under the rules now laid down. Sir Michael Seymour, whose services have been so long and so distinguished, including employment in two Chinese wars, will be excluded because he happens to have passed the age at which he must be placed on the retired list before a vacancy arises, and another officer with, perhaps, less than half his claims may be appointed to it, merely because he has not then attained that age. Being on the active list ought either to be taken as indicating the officers eligible for employment—and, in that case, being retained upon it, should depend not upon the past services of an officer, but on his actual fitness, periodically tested—or else it ought to be regarded as a reward for past services, and in that case officers ought not to be

*Earl Grey*

excluded from it, and thus prevented from rising to the highest honorary posts in their profession on account of not having been employed for a certain time. My noble Friend the noble Duke has justly pointed out that the operation of the rules, as they stand, will be most injurious to the public service with reference to the Board of Admiralty. He has told your Lordships that already there is a disposition on the part of able and experienced officers whose services are needed at the Board to prefer serving afloat. Nothing then can be more unwise than to give to such officers a new motive for reluctance to serve at the Admiralty by refusing to allow their services at the Board to reckon as a qualification for the highest rewards of the profession. And I would point out to your Lordships that this is directly contrary to the policy pursued in the Army. I find that by the latest warrant regulating promotion in the Army, employment in various offices of which the duties are purely civil is allowed to reckon as well as more strictly military service in qualifying colonels to rise to be general officers. Thus, the Inspector of Clothing and the members of the Council of Military Education are allowed to reckon the time they have given to these duties as qualifying them for promotion, and most properly—you want to induce able men to accept the employment and therefore make it carry with it a due reward. The duties of naval officers on the Board of Admiralty are far more important and arduous than those of the officers I have mentioned, and ought not to be differently regarded. I cannot conclude without adding a few words on the manner in which this measure has been adopted. My noble Friend (the Earl of Camperdown) has told us that notwithstanding the objections that have been taken to this Order in Council it has been accepted with satisfaction by the great majority of naval officers. I do not know where my noble Friend has got this information, certainly all that I have been able to obtain has been of a very opposite character. I am told that the oldest officers in the service have said that there never was a time within their recollection in which there prevailed among their brother officers so general a feeling of dissatisfaction and of insecurity. This arose even less from



the faults in the Order itself—great as they were — than from the manner in which it was adopted. My noble Friend the noble Duke has pointed out to you that before the Order in Council of 1866 was passed, the scheme of retirement to which it was to give effect was laid before the House of Commons, and, after full opportunity had been given of considering it in all its details, a vote in approval of it was obtained, and that it was not until this had been done, and till all who felt themselves aggrieved by it had thus been enabled to urge their objections to it, that it was formally submitted to Her Majesty in Council and passed. The Order of the present year, on the contrary, was actually passed before any authentic statement of its provisions was given to the public, so that no opportunity whatever was given of discussing them while this might still have been of use. My noble Friend has pointed out that this mode of proceeding is open to great objections; but there is one most important circumstance connected with it which he has not mentioned, and which renders it still more deserving of censure. Your Lordships are aware what is the constitution of the Board of Admiralty. You know that it is composed of a First Lord, who for many years has always been a civilian, and of Junior Lords, two or three of whom are naval officers. Technically, all the members of the Board have equal power, and every determination it comes to must be sanctioned by a majority of those present. It has, however, always been understood that the First Lord being a Cabinet Minister, and representing the Government, has a right to expect that the junior members of the Board, though entitled freely to express their opinion on every question that may arise, should, as a general rule, defer to his judgment. But while the supreme authority, and the responsibility which this authority carries with it, rests with the First Lord, the professional members of the Board are justly regarded as having a certain responsibility for its measures. It is their duty to take care that no measures injuriously affecting their brother officers or the general interests of the profession shall be hastily adopted, and while, in all ordinary cases after having stated their own opinions, they properly defer to that of their Chief, on questions of the highest

importance, they ought rather to resign, than become parties to decisions to which they entertain strong and insurmountable objections. It would not be difficult to mention cases in which this view of the position of the Junior Lords of the Admiralty has been acted upon—a remarkable one occurs to my mind of a distinguished admiral who left the Board, because he could not carry an increase in the crews assigned to the several classes of ships of war which he believed to be indispensable. In this respect the position of the Junior Lords of the Admiralty does not differ from that of the subordinate members of all other Departments of the Government. An Under Secretary of State, for instance, does not hesitate in all ordinary cases to carry into effect the orders of his superior, though they may not be in accordance with his own opinion; but it is his duty to resign when the Government adopts any measure of very high importance in which he feels he cannot honestly concur. This was once my own case when I felt myself compelled to resign the Office of Under Secretary of State for the Colonies, though my own father was at the head of the Government, because it decided not to adopt so large a measure as I believed to be necessary for the abolition of colonial slavery. In all the Departments of the State a necessary and a proper check is thus imposed on the Ministers at their head, without interfering with their legitimate authority; but with regard to this Order in Council on naval promotions and retirement this check has been virtually set aside, unless the statements made in the other House of Parliament and in the newspapers are erroneous. It appears from these statements that the new scheme of retirement was never brought before the Board of Admiralty at all; that it was not till after it had been formally sanctioned by Her Majesty that one, at least, of the naval Lords was aware of its provisions, and that a strong disapproval of some of these provisions has since been expressed by more than one of them. The passing of an Order in Council so deeply affecting the interests of the Navy in a manner which has deprived the Naval Lords of the Admiralty of their legitimate opportunity of bringing forward their objections to it, has necessarily created in the minds of their brother



officers who look to them for protection from measures unfairly affecting them, a strong feeling of dissatisfaction and of insecurity for the future.

*Motion agreed to.*

# IRISH LAND BILL.

## COMMONS' AMENDMENTS CONSIDERED.

Commons' Amendments to Lords' Amendments and Commons' Reasons for disagreeing to some of the Amendments made by the Lords, *considered* (according to Order).

The said Amendments and Reasons read by the Clerk.

EARL GRANVILLE hoped that he might be allowed to say a few words as to what had passed in the Commons. He thought the course taken by the other House had, in a great measure, justified that taken by their Lordships; because, since a large number of the Amendments made by their Lordships had been agreed to by the Commons, the natural inference was, that their Lordships had made improvements in the Bill. What the Commons objected to agree to were chiefly clauses that had excited great difference of opinion in their Lordships' House — matters, perhaps, of no very great importance, but which savoured too much of giving a slight advantage to the landlord at the expense of the tenant. The first Motion which he had to make was, that their Lordships should not insist upon an Amendment made at the instance of the noble Duke opposite (the Duke of Richmond) in the scale of compensation, by which £4 was inserted in lieu of £10, and £20 in lieu of £30. Such Amendment, if insisted on, would have the effect of refusing compensation to a large class of tenants in Ireland.

*Moved*, Not to insist on the Amendments in page 2, lines 31, 32, 33 and 35, to which the Commons have disagreed.

THE DUKE OF RICHMOND said, that although he should have preferred the scale as altered by their Lordships, he did not think it of sufficient importance to ask their Lordships to insist upon the alteration which they had made. The scale of compensation was more a matter of detail than of principle, and there

must be much difference of opinion as to what particular figure should entitle a tenant to compensation. He thought this might be a convenient opportunity for stating what course he should take with reference to the Amendments generally. With regard to the alteration that had been made by their Lordships by substituting 21 years for 31 years as the length of lease that should bar the claim to compensation, that, again, he considered not so much a matter of principle as of opinion; and though he still thought that 21 years was quite sufficient time to enable a tenant to recoup himself, yet he did not think that the matter was of sufficient importance to ask their Lordships to insist upon their Amendment. That, however, was the limit of the concessions that he was able to make. He found that an Amendment had been introduced in the House of Commons, after the Bill had left that House, limiting the right of the landlord to deduct from the compensation paid any arrears of rent not exceeding three years. To this he decidedly objected. He thought it perfectly fair that where a landlord was called upon to make compensation to the tenant, all sums of money that were properly due to him from the tenant should be taken into consideration; but the Amendment made by the House of Commons would prevent this. The landlord might have to pay the tenant compensation amounting to four years' rent, and yet he could not recoup himself to the extent of more than three years' rent, although more were due. Now, this was quite unjust, and therefore he would advise their Lordships not to assent to it. The next point regarded con-acre; as to that there had been an agreement between both sides of the House as to the words to be adopted; and nothing could be more straightforward than the conduct of the Government upon this point. They said that they would not alter the words unless there was a strong opinion to the contrary expressed in the other House. The House of Commons took what he considered a most extraordinary course, and entirely altered what had been previously agreed on, and in so doing had, he thought, made nonsense of the matter. At the same time, he would assent to some of the alterations which had been made in reference to con-acre. As to permissive registration of improvements, he must

*Earl Grey*

ask their Lordships to restore the clause to the terms in which it had been agreed to by their Lordships. The only other Amendment of importance which he should ask their Lordships to disagree with was, that by which it was provided that non-payment of rent should not be deemed a disturbance if the Court should decide, on special grounds, that it ought not to be so considered. He must ask their Lordships to insist on the present Amendment.

On Question, Whether to insist? *Resolved in the Negative.*

Commons' Amendment to insert in page 3, line 13, after ("rent") the words ("not exceeding three years' rent") *disagreed to.*

Commons' Amendment, relating to the provision respecting conacre amended, and *agreed to.*

Then it was *moved* not to insist on the Amendment in page 4, line 1, to which the Commons have disagreed—namely, to leave out ("twenty-one") and insert ("thirty-one").

On Question, Whether to insist? *Resolved in the Negative.*

Commons' Amendments in clause relating to presumption of improvements *agreed to.*

Clause "A," (Permissive registration of improvements).

EARL GRANVILLE recommended that their Lordships agree to the Commons' Amendments in the clause. As the clause now stood, any landlord and tenant who might be desirous of preserving evidence of any improvements made by themselves or either of them, or by their or either of their predecessors in title, before or after the passing of this Bill, might jointly at any time file a schedule in the Landed Estates Court, specifying such improvements and claiming the same accordingly, and such schedule so filed should be evidence that such improvements were made as therein described. He thought the latter part of the clause could have no effect but to promote litigation.

LORD CAIRNS hoped that whatever shape the clause might take, it would not become law in its present form. The case supposed by the clause was one in which the landlord and tenant were agreed as to who made the improve-

ments—and one might have supposed that that was all that was necessary; yet it provided that they should jointly proceed to Dublin and incur the expenses of employing professional advisers to prepare a schedule. The matter did not end there, because the schedule was to be filed in the Landed Estates Court. The clause stated that the document so filed should be evidence of the contract. It would not be evidence; but it would be the contract itself. He regretted that there was not known to the law of England and Ireland what was known to the law of Scotland—namely, a "declarator"—by means of which questions of fact were so settled that there could be no dispute about them at a future time. This clause, as altered by the House of Commons, would not do that. It provided for registration only in cases where the landlord and tenant jointly wished for it, and agreed in the contract which was to be registered. The landlord who made improvements could not by himself register them, so that the question of fact would be settled for all time. How many lawsuits they would prevent in future by having some record made of improvements while there was some person alive to speak to the facts! The danger was in allowing things to drift along in uncertainty till a future time without having some record now which would avert future litigation.

LORD O'HAGAN said, he did not like the clause at all. He thought the original position taken by the Government in that House was the true one—namely, to resist that clause altogether. When it was first introduced it was prospective only, and in that form he should have had no objection to it. But it had been made retrospective, and in that form he had the strongest objection to it. There were thousands of tenancies in Ireland where improvements were at this moment going on; and if all at once, when that Bill came into operation, it was made a matter not of choice, but of necessity for every landlord and every tenant to register immediately and challenge his tenant or his landlord, as the case might be, in respect to the right to improvements, they would precipitate the result which it had been predicted would flow from that measure—but predicted, he trusted, erroneously—that it would be the fruitful parent of litigation; whereas it was most desirable that the measure



should commence its operation in Ireland amid circumstances of mutual kindness and good-will between landlord and tenant.

THE MARQUESS OF SALISBURY said, they ought to discourage litigation not only at present, but in the immediate future. He knew the case of a landlord in the South of Ireland who had spent £50,000 in improving his property, and he had no evidence of the improvements except the memory of the people among whom they were made. Those persons were dying out, and in a few years the landlord might have no evidence whatever to prove that he had made the improvements, and he might be called upon to pay his tenant for having made them. But if that clause were passed, as their Lordships had agreed to it, he could go into Court and register his improvements at once. If their Lordships did not adhere to that clause they would practically compel the landlord, where there had been large improvements effected, to evict his tenants in order to have the question of the authorship of those improvements immediately tried.

THE LORD CHANCELLOR said, he thought his noble and learned Friend (Lord Cairns) had been over severe as to the legal knowledge of the Commons as displayed in this clause. It should be remembered the other House was not wholly without professional assistance on either side when it considered that matter; and while he agreed with the Lord Chancellor for Ireland that it would have been better not to have the clause at all, still, if they were to have it, he saw the use of having it in the form in which the other House had sent it up to their Lordships. The Amendments of the Commons were very good indeed, because they invited no litigation, but allowed both parties to register together. If there was any advantage in the thing at all it was in letting the parties, when they were perfectly agreed, go into Court, and record that about which there was no dispute.

THE DUKE OF RICHMOND asked why, if they were quite agreed, the parties should go into Court at all? The supposition was that the landlord and the tenant together drew up a paper respecting the improvements made partly by the one and partly by the other; and that paper would be kept in the landlord's office; and, being agreed to by

both parties, they would not want to go into Court. The clause, as passed by their Lordships, would be useful in providing for a register of improvements, which would be evidence at any future time; but as the clause came up from the other House it was perfectly useless, and ought not, therefore, to form part of the Bill. He would move to disagree to the Amendment made by the Commons in Clause A.

On Question? *agreed to.*

EARL GRANVILLE, in page 8, line 8, recommended their Lordships not to insist on the Amendment for leaving out from "landlord" to "and" in Clause 8, relative to disturbance. His object was to try to restore that provision in the measure to the form in which it originally came up to their Lordships. Being all agreed that the tenant should be compensated for his past improvements, he hoped their Lordships would not insist on their Amendment, the effect of which would be that where the rent of a tenant had been so exorbitantly raised that he could not reasonably pay it, he would be debarred from those claims for past improvements which, in ordinary cases, he would be entitled to receive.

THE DUKE OF RICHMOND said, that if they restored the clause to the form in which it had come up from the Commons, it would lead to very bad results. One man would complain that the season was bad, and, therefore, he could not pay his rent. Another would plead that his cattle had died; another that his pecuniary circumstances had been reduced to a very low ebb, in consequence of illness among his family. These points would be raised all over Ireland, and would be taken before those 33 assistant barristers, who might all form different opinions as to what were or were not special grounds. They were told that this Bill was to bring peace to Ireland; but he could not conceive anything more likely to produce the contrary effect than what was now proposed. The clause as their Lordships had amended it on a former occasion was very much better. In a variety of instances, great injustice might ensue from retaining the words.

LORD O'HAGAN said, if the chairmen of quarter sessions were not capable of determining what "special grounds" of this kind were, they were

*Lord O'Hagan*



scarcely capable of determining other very large points upon which they had an entire discretion. The question was, whether there was not something in the circumstances of Ireland to justify this proposal? It was intended to refer to two classes of cases merely—one in which the tenantry under some exceptional landlords had been kept in a state of coercion, owing to a system of long arrears, extending sometimes to 10 and 15 years; the other in which the rents, altogether exorbitant, had been imposed under circumstances of oppression. It had, therefore, been thought well to give the Court the power of softening the oppression under which these tenants laboured not in cases of penalty for non-performance of any particular contract, but of absolute forfeiture. Some such provision was the more necessary since their Lordships had introduced the Amendment with regard to subletting, subdivision, bankruptcy, and insolvency.

LORD CAIRNS said, his objection to the proposal of the Government was that it was at variance with the whole principle of the Bill from beginning to end. That principle was, that the right to compensation on the part of the tenant should be correlative with the performance of his contract, and that the tenant who had broken the contract and had been removed on that account should not be allowed to say that he had been capriciously disturbed. They had already provided that, as a general rule, eviction for non-payment of rent should not be a disturbance; but the House of Commons had introduced the qualification, unless the Court decided that it ought on special grounds to be so deemed. That was as much as to say that anyone of the 33 assistant barristers might, upon special grounds laid down by himself, decide that eviction for non-payment of rent was a disturbance. The assistant barrister might say—"Parliament has left it to me to determine what are special grounds. Well, this is a bad year, and I will decide that to be special grounds." But then it might be said there was the Court of Appeal. Suppose the case came before that Court, the Judge of Appeal might say—"Parliament has not given me any directions to guide me as to what are special grounds;" and thus one Judge might decide one way and another another. The noble

and learned Lord (Lord O'Hagan) had said there were only two classes of cases which would form special grounds. Well, he had himself said from the beginning if these were the only cases, would Her Majesty's Government put them on the face of the clause? He offered that challenge to the Government. Would they put on the face of the clause that eviction for non-payment of rent should not be deemed a disturbance unless upon the ground that the Court thought the rent manifestly exorbitant? He did not say he should vote for the clause if they did; but perhaps their Lordships might be induced to do so. Anything more contrary to principle than the proposal of the Government he could not imagine. It amounted to this—that a tenant was to be allowed to drive away all competitors by promising to pay a particular rent, and then when he came to be evicted for non-payment he was not to be obliged to give up the holding unless the landlord paid him a certain number of years' compensation. Another objection was the uncertainty this proposal would create. The only sound principle was to let the landlord and tenant know before they came into Court what they had to expect. If it were to be a matter of doubt whether the Court would or would not hold that there was a disturbance in any particular case, a landlord who came to an issue with his tenant would not know on what principle the compensation was to be assessed, and the consequence might be that a small landlord would be ruined. He trusted their Lordships would adhere to their Amendment.

THE MARQUESS OF SALISBURY considered that it would be an enormous breach of faith if this country interfered with those who had purchased property under the Encumbered Estates Act. They had bought in the cheapest market, and they were selling in the dearest by getting the highest possible rents for the farms they had at their disposal. If their Lordships now thought the landlords had too much for their investment, and proposed to take off 10 or 20 per cent, they would be doing that for which they blamed Spain or Mexico, and people would not be induced to buy such property in future.

EARL GRANVILLE said, he did not understand why a man who purchased a quarter of a century ago was to be in a

better position than one who had been in possession of an estate for 300 years, and had up to this time a legal right to all improvements, whether made by himself or his tenants. Words of strong indignation were inconsistent with what had been said on both sides of the House about the justice of giving compensation for improvements.

LORD CAIRNS admitted that moral justice required that when a tenant had made improvements he ought not to be deprived of them; but there was no moral justice in enabling a tenant to break his contract.

Question put, Whether to insist on the said Amendment? *Resolved in the Affirmative.*

Then it was *moved* to insist on the Proviso to Clause 8, to which the Commons have disagreed—namely,

“That in case of the determination of a tenancy by ejectment for non-payment of rent, the Court may treat such ejectment as disturbance if the arrears did not wholly accrue within the three previous years, and if any earlier arrear remained due from the tenant at the time of commencing the ejectment.”

Question put, Whether to insist on the said Proviso? *Resolved in the Affirmative.*

Committee appointed to prepare reasons to be offered to the Commons for the Lords disagreeing to some of the said amendments: The Committee to meet *forthwith*: Report from the Committee of the reasons; read, and *agreed to*; and a message sent to the Commons to return the said Bill, with amendments and reasons.

#### TRANSFER OF GAMBIA TO THE FRENCH.—QUESTION.

THE DUKE OF MANCHESTER rose to put a Question to the Secretary of State for the Colonies respecting the proposal to transfer the Settlement of the Gambia to the French. The transaction to which his Question referred was a subject of serious importance, as it appeared to him to involve the undue exercise of the Prerogative of the Crown. He understood that it was intended to hand over a part of the British dominions to the Emperor of the French on this day month. He hoped this was not the case, for if the sad events which the noble Earl (Earl Granville) had said we must anticipate were about to occur, it seemed to him that we could not, without a breach of neutrality, hand over a seaport of great capacity, and advantageously situ-

*Earl Granville*

ated for a coaling station, to a nation which was at war with one of our allies. The Gambia Settlement was no burden to us, and in the event of war it would be of very great importance. It had a river without a bar, was completely landlocked, and might be used as a coaling station. If the French thought it desirable to obtain it, it must be equally desirable for us to keep it. In addition to that, he thought we ought not to transfer the inhabitants of the territory to another Power without their consent. Again, in his opinion, the Government ought not to diminish the British territories without the sanction of Parliament; and he thought that our distant possessions ought also to be consulted on the question of transferring so important a coaling station as the Gambia. The inhabitants of the country were decidedly opposed to the contemplated transfer—indeed, he was informed that 600 of the coloured inhabitants had of their own motion, without instigation on the part of any Englishman, signed a Petition which had been sent to the Colonial Office, protesting against being handed over to France. The charge for the payment of English officials in the settlement was £10,000 a year, and a sum of £2,000 was paid for pensions. Its revenue more than covered its expenses, and it was estimated that there would be a surplus revenue this year of £7,000; and he believed the Colony already had some money invested in New Zealand Bonds, by direction of the Government. The inhabitants were strongly in favour of the territory being maintained as a British settlement, instead of being handed over to France; for it was of great importance as regards their trade that they should not be under the authority of the French, who had driven away English trade from every part of that coast which they occupied. It might, perhaps, be urged that our trade on the West Coast of Africa was not on the increase; but it certainly was not decreasing at this particular part of the coast. The Gambia was the best river on the Western Coast of Africa, and might be of very great use to us in the case of a naval war if we retained it in our hands, and he hoped the Government would not on any account give up so important a position to France or to any other country. He was the more anxious on this head because he feared the projected



transfer might be the first step towards abandoning our Colonies. In conclusion, he asked the noble Earl to give the House some account of what had been done.

**EARL GRANVILLE:** I can readily answer the noble Duke as to the alleged undue exercise of the Royal Prerogative, because at the beginning of the negotiations with the French we distinctly stated to them that nothing could be completed without the consent of Parliament. As I was chiefly concerned in the matter, my noble Friend (the Earl of Kimberley) has requested me to say that when the matter comes before Parliament for discussion you will find it excessively difficult to show what advantage is gained by this country by retaining possession of this settlement. No doubt, many years ago, when there was a profitable slave trade going on, we might have had an interest in it of a particular sort; and at a later period, when we were exerting ourselves to suppress the slave trade, we also had an interest in keeping the settlement; but as there is not a slave trade at present, and it is extremely improbable that it will ever again revive—and even if it should the French would be as anxious to repress it as we are—that reason entirely vanishes. The noble Duke says, however, that the place will be very advantageous in the event of war. I am sorry to say that this point was entirely left out of consideration by me while I was conducting the negotiations, for I cannot conceive what use Gambia could be in time of war, unless our seamen were seized with an unusual whim to run away and hide themselves from the rest of the world. With regard to the trade of the settlement also, I think the noble Duke has been most strangely misinformed. The trade has steadily fallen off, and the revenue with it. Last year there was a deficiency, and I cannot believe in the great surplus which the noble Duke has promised us this year. The trade of the French has been increasing steadily, while ours has been as steadily diminishing. The trade is of a kind which better suits the French than ourselves—chiefly consisting in palm oil and ivory—and there seems no reason why they should not prosecute it under their own management. The number of ships and their tonnage belonging to the Colony is ridiculously small for a great

maritime country such as this. There are not more than 30 or 40 European subjects at the settlement, and there is no use in sending out official servants of the Crown to so deleterious a climate, and where they are exposed to all kinds of demoralization. The climate is such that the mortality produced by it among our representatives there has been greater than similar unfortunate occurrences in any other Colony; and while I was at the Colonial Office there was more trouble in settling the quarrels between different officials there than in transacting all the business of the Colony. Under these circumstances, I think the burden of proving that retaining the Colony will contribute in any degree to our prestige or trade rests with those who wish to keep it. It is very remarkable that our exports, which have been as high as £75,000, were last year only £25,000; while the exports from the African settlement, where there is no European Government at all, amount to £600,000. The noble Duke spoke of the wishes of the inhabitants, and remarked that they were all natives who had petitioned and showed a high class of education for such people. It is very remarkable, however, that they appear to have almost all written the same handwriting, and I am told that the getting up of the Petition was intrusted to a very respectable man who keeps a grog shop. I cannot, therefore, regard the Petition as entirely conclusive evidence upon any point. While the Colony would be of great advantage to the French in connection with their flourishing Colony of Senegal, I think it is no exaggeration to say that Gambia is to our country an absolute burden without any redeeming characteristics.

**THE DUKE OF MARLBOROUGH** hoped the Government would lay upon the Table of the House such Papers relating to the trade and revenue of the settlement and to the terms of the proposed cession as would give their Lordships full information upon the subject when they came to discuss it.

**THE EARL OF KIMBERLEY** said, such Papers would be laid upon the Table.

House adjourned at half-past  
Eight o'clock, to Monday  
next, Eleven o'clock.



## HOUSE OF COMMONS,

*Friday, 15th July, 1870.*

MINUTES.] — SELECT COMMITTEE — *Report—*  
*Local Taxation. [No. 353.]*  
 SUPPLY—*considered in Committee—*CIVIL SER-  
 VICE ESTIMATES—R.P.

The House met at Two of the clock.

FRANCE AND PRUSSIA.—QUESTION.  
 OBSERVATIONS.

MR. DISRAELI: Sir, I rise to put a Question to Her Majesty's Government not dissimilar to that which I addressed to them yesterday, though perhaps of a more specific character. I will not conclude with a Motion, because I am at all times desirous to maintain the established custom of business. I think, moreover, it will be quite possible for me to bring my inquiry within the legitimate limits of a Parliamentary Question, and I am sure that if from want of skill I unwillingly pass for a moment those limits, the House will place a liberal interpretation upon our regulations, considering the gravity of the subject which has induced me to put the Question. I am the less disposed to think I may not perform what I intend within the limits of a Question because I rise at this moment not to embarrass Her Majesty's Government, but, on the contrary, if it be not presumption in me to say so, to endeavour to assist and support them at a moment of extreme difficulty. The Question I am going to put to the right hon. Gentleman is this—Whether he can inform Parliament what, in his opinion, is the cause of the present disturbed state of Europe? It seems to me that the time has arrived when that Question is strictly legitimate. There have been two causes mentioned by public rumour for this unhappy state of affairs. One alleged cause has been that a German Prince has been a candidate for the vacant throne of Spain. I dismiss that subject altogether, as not an element of the Question I am addressing to the right hon. Gentleman, and I advert to it only to render that Question more perspicuous. I cannot induce myself to believe that in the 19th century, with its extended sympathies and its elevating tendencies, anything so degrading and so barbarous can occur as a War of Succession. I may also remark,

in passing, that we have had an authoritative statement very recently from the Minister of France which at once disposes of the pretext that any pretensions of a German Prince to the Crown of Spain can be the cause of the present state of affairs. But, Sir, there is, in public rumour at least, another cause alleged, and it is with regard to that I wish to make an inquiry of Her Majesty's Government. It is said that between these two allies of Her Majesty, between whom this unhappy misconception seems suddenly to have arisen, there have been for a long time many causes of misunderstanding, much jealousy and distrust, and many difficulties as to their mutual relations, or their relations with other countries of Europe, which have been left open and unsettled, and that suddenly there has been a resolution in some quarters to bring about a precipitate settlement of those questions. Now, Sir, what I would venture to observe is this—If there be any truth in this statement, any foundation for the circumstances I allege, the cause of controversy between those allies of Her Majesty is purely a diplomatic cause. It has not arisen from an invasion of each other's territory or from any outrage which has been committed against the national honour of either throne; but it is purely a diplomatic question, and the causes must have existed for some time. What I wish to bring before the consideration of the Government and of the House of Commons as the foundation of the Question which I am going to prefer is this—that both these powerful States between whom this misunderstanding has arisen have, and have within a very short time, within only a few years, solicited the advice and prayed for the influence of Her Majesty to be exercised on their behalf. They have done more than that; they have induced Her Majesty to enter into engagements, and even perilous engagements, with a view of furthering their interests, securing the peace of Europe, and giving them the opportunity, the happy opportunity, of terminating all the questions of dissidence between them. Sir, under these circumstances I must express my opinion that, whatever may be the political competence of France or Prussia to declare and carry on war—and no one can question that—I say that, under these circumstances

which I have recalled to the memory of Parliament, neither France nor Prussia has a moral right to enter into any war without fully and really consulting Great Britain, to whose Sovereign a few years ago they appealed to exercise her influence, and even to enter into engagements, in order to preserve the peace between them. What I want to know from Her Majesty's Government is whether, in the representations they have made to the Courts of the Tuilleries and of Berlin, this view of the case by England has been fairly put before them? I make no doubt that the usual representations which at so critical a time would be made by the authority of England have been preferred; but we have arrived at a moment when it is not sufficient to dilate upon the horrors of war and the blessings of peace, when it is not sufficient to dwell upon the abstract principles which ought to induce any State that meditates disturbing the general peace to appeal to the comity of nations. That, to my mind, is not sufficient now. I do not for a moment wish the House to suppose from the tone in which I express myself that I doubt that Her Majesty's Government have fulfilled the task I describe; but its public announcement would, I think, have a beneficial effect upon Europe at the present moment. I say it is the duty of the Government—which I trust and believe they have performed—to bring before the consideration both of France and of Prussia the peculiar claims which Great Britain has at this moment upon their confidence, upon their trust, and for a reasonable deference to her counsels. I wish, therefore, to know from Her Majesty's Government, whether they have urged this view of the case on the Courts of France and Prussia—whether they have reminded them of the great sacrifices and of the great exertions which at their request and instigation only a short time ago the Queen of England made in order to advance their interests, secure the peace of Europe, and give them an honourable opportunity of terminating their differences? That is the Question, an answer to which I shall be glad to receive from Her Majesty's Government. I will only venture, before I sit down, to express my individual opinion that the ruler of any country who at this time disturbs the peace of Europe incurs the gravest political and moral responsibility

that can ever fall to the lot of man. I hear, Sir, superficial remarks made about military surprises, the capture of capitals, and the brilliancy and celerity with which certain results may be brought about. Sir, these are events of a by-gone age. In the last century such melodramatic catastrophes were frequent and effective—we live in an age animated by a very different spirit. The fate of a great country like France or Prussia cannot be ultimately affected by such incidents; and the Sovereign who trusts to them will find at the moment of action that he has to encounter, wherever he may be placed, a more powerful force than any military array, and that is the outraged opinion of an enlightened world.

MR. GLADSTONE: Sir, it is not for me to follow the right hon. Gentleman over the whole of his remarks, for he, I am sure, will agree with me when I say that at this particular moment he, in common with all other Members of this House, enjoys a freedom which does not belong to the Advisers of the Crown. At the same time, adverting to the impressive words with which he closed his speech, I must say that it is the opinion of Her Majesty's Government, as it appears to be his opinion, that there is nothing in the circumstances, nothing in the differences which have lately appeared, which will justify, in the judgment and conscience of the world, a breach of the general peace. With respect to the Questions the right hon. Gentleman has put to me, they are, as I understand them, these two—He asks whether I can inform Parliament what, in the opinion of the Government, is the cause of the present disturbed state of Europe? I think, Sir, for the sake of those who have official responsibility, and of those who have the duties in relation to Foreign Powers which official responsibility entails, it would be better that I should avoid reference at the present moment to any causes which may have contributed to bring about the present menacing state of affairs other than those which have appeared. The right hon. Gentleman has also asked me whether Her Majesty's Government have made it part of their care to bring before the two great States, now engaged in communications that appear to be very proximate to hostilities, the peculiar claims of Great Britain to be heard in regard to their



disputes, and to have the recognition of her title to offer friendly advice with a view to friendly settlement. I am bound to say neither of these two States has, in the present instance, shown the slightest disposition to impatience at the representations of Great Britain, or the slightest indisposition to allow her to exercise whatever title to friendly intervention may belong to her, or has put upon us the necessity of resorting to arguments drawn from any special juncture in former affairs for the purpose of making good that right on our part. But, Sir, I may say that that title to friendly offices, on the part of any one State of the civilized world towards any other State, really has been placed upon a foundation in Public Law by a great European act of recent times, which does not admit of its being brought into dispute. I refer, of course, to that Protocol of the Conference at Paris in 1856, whereby it was recognized, in the most solemn manner, at an assemblage of the representatives of all the Great Powers of Europe, to be the duty of each of those Powers, at least as a general rule, in case, unhappily, of controversy arising with a neighbour, to submit that controversy to some friendly adjudication before having resort to the last, melancholy, and horrible extremity of arms. With respect, therefore, to the Questions of the right hon. Gentleman, these are the answers I shall give to them. With respect to the actual state of affairs, I have no decisive intelligence to communicate to the House; but I am sorry to say the course of the communications and transactions thus far between the two Great Powers concerned has not been, on the whole, favourable. The point, however, is now very near at hand at which things must take a decisive course in favour of either peace or war. Any functions which we can discharge, any offices we can render, are necessarily limited; but I have the hope that when the time comes, and probably it must very soon arrive, at which it will be our duty to explain in detail that which it is now no less our duty to withhold, the House may be of opinion that Her Majesty's Government have not fallen short of the obligations incumbent on the representatives of England, and likewise have not gone beyond them.

MR. HORSMAN: Sir, I merely wish to say, in a few words, that I believe it

*Mr. Gladstone*

is impossible for any of us, however strongly we may feel on this subject, to exaggerate the difficulty, the delicacy, and the responsibility of the position of the Ministry. Possessing, as they do, the full confidence of the House, it is impossible for us—"Order!"

MR. SPEAKER: I wish to point out to the right hon. Gentleman that the right hon. Member for Buckinghamshire (Mr. Disraeli) put a Question to the First Lord of the Treasury, which has been answered. If a Debate is to arise it cannot go on without a Motion.

MR. HORSMAN: Sir, I will not do that which I might do; but I will only express my regret that, as the subject has been so largely gone into by the right hon. Member for Buckinghamshire and by the First Minister of the Crown, it has not been introduced in such a way as to enable others to speak on the subject.

MR. SOMERSET BEAUMONT said, he rose to express a deep sense of obligation—"Order!"

MR. SPEAKER: I am bound to point out to the hon. Member that, after what has just passed, and after the withdrawal of the right hon. Gentleman (Mr. Horsman), it would be impossible, without unfairness to that right hon. Gentleman, to allow a debate to arise.

MR. SOMERSET BEAUMONT: I will conclude with a Motion.

MR. SCLATER-BOOTH: I must appeal to the hon. Gentleman not to persist in speaking, seeing the injustice it would be to the right hon. Gentleman who consented to withdraw.

MR. SOMERSET BEAUMONT said, that as the feeling of the House against the course he proposed to take was evidently very strong, he would not persist in it; but he had thought his right hon. Friend the Member for Liskeard (Mr. Horsman) would probably second his Motion.

MR. WHITWELL said, he rose to ask a Question of, or make a suggestion to, the Secretary to the Treasury. If hon. Members were—say, at Liverpool—every two hours they would receive telegrams from all parts of Europe; but attending the House of Commons, and rendering what service they could to the country, they were cut off from this intelligence: Would it not be possible to have arrangements made by which they might see telegrams every two hours, as they would if they were in the country?



## SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ASSESSED DUTY ON MALE SERVANTS  
—ERRAND BOYS.—OBSERVATIONS.

MR. BOURKE said, he rose to call attention to the hardship which would result to small tradesmen, errand-boys, and apprentices in consequence of the construction placed upon the Act 32 & 33 *Vict. c. 14*, by the authorities of Inland Revenue, who required the payment of the assessed duty of 15s. for a male servant if any domestic work were done by an errand-boy, &c. The subject appeared to be a very small one; but, from the number of communications he had received, it was one which affected a great number of the industrious subjects of Her Majesty, and about which there was very widespread dissatisfaction. The question arose upon the interpretation of the two words "male servant" in the Customs and Inland Revenue Act. Hitherto it had not been the habit to include in that category for the purposes of taxation errand-boys who were employed by tradesmen to carry messages in the conduct of their business, and who were incidentally employed also in performing trifling menial offices of a domestic character in the houses of small tradesmen. But this immunity from taxation was no longer to continue, and in the borough he represented (King's Lynn) a notice to that effect had been sent round. It was quite possible that this interpretation put upon the words by the Inland Revenue was correct; but surely this was a case in which the departmental authorities might be told that the words "male servant" were to be construed liberally; that it was not intended by Parliament that any little wretched errand-boy earning about two or three shillings a week should be taxed in the same way as a butler or groom of the chambers in a palatial establishment. He very much feared that this tax would fall upon the poor boys, and a deduction would be made from their wages equivalent to the tax. That would be a result which the House would not desire. But, even if that was not so, the tax would operate as a dis-

couragement to persons to employ these boys, which was very often done from charitable motives as well as from motives of convenience. A tradesman, particularly in small towns, would take a boy into his house and keep and teach him; much good was thus done to the boy, and he was in this way started in life, and so rescued in many instances from the perils of the streets and from bad company. The practice was one which, on public grounds, ought to be encouraged, and which he thought ought to be regarded as a social and public advantage.

MR. SCLATER-BOOTH said, it was admitted that the boys referred to were not previously subject to taxation; and, if this were so, some explanation was required of the tax being imposed now, because it was most distinctly stated by the Chancellor of the Exchequer, and clearly understood by the House, that whatever alterations were made in the assessed taxes last year, no new taxes were to be imposed, and no new interpretations of the law were to be introduced. It would be far better to waive any extreme rights which the Revenue Department might have to these duties, and to re-enact the law with such modifications as might seem desirable, than to create a sense of injustice among those who were called on to pay the duties.

MR. C. S. READ said, that this was not the only instance in which some new interpretation had been put upon the law by the Excise Office. Tradesmen who placed on their circulars the arms of the city where they resided were charged for the duty on armorial bearings; and he had heard of the case of a farmer who lent a dozen of his horses to bring a lifeboat ashore, and who received two guineas from the society as a gratuity for the service, being surcharged for the whole of the horses on the ground that they were not exclusively used for agricultural purposes.

MR. STANSFELD said, he could not undertake to say that the Government would not place any interpretation on the statute of last Session which they might be advised was proper and legal, simply on the ground that different interpretations might have been put on it in various localities. All he could say was that they would be perfectly ready to consider each case of doubtful con-

struction which might arise, and they would not desire to put a pettifogging interpretation on the Act. An errand-boy was not a servant, though he became one if he performed domestic duties; but in case those duties were of a trifling and irregular description, the Department might not feel bound to impose the tax.

#### SETTLEMENT OF GAMBIA.

##### ADDRESS FOR PAPERS.

SIR JOHN HAY said, he rose to call attention to the supposed preparations for transferring the Colony of the Gambia to France. He thought that the Government would pause before agreeing to any such cession when they learnt that 20,000 inhabitants of that Colony, being subjects of the Crown, were exceedingly averse to being transferred to the dominion of France. From what fell from the Under Secretary for the Colonies the other day it might be supposed that the number of the colonists in Gambia was not sufficient to give any importance to the proceeding in question, and he, therefore, wished to state that, although no very large tract of country in Gambia was in British possession, yet what this country held there was an extremely valuable possession. The Gambia was a fine river on the West Coast of Africa, navigable for 400 miles, and accessible for 200 miles of its course to vessels of the largest tonnage. It had been in English possession since 1664, with the exception of a short interval, when, after being captured, it was held by the French from 1702 to 1709. The River Gambia was within 10 days' steam of England, and though for four months the climate was unhealthy for Europeans, the white man could live there for the remaining eight months of the year as comfortably as on any spot within the tropics. He had been informed by some gentlemen belonging to the Colony, and who were now in this country, that the number of whites in the Colony was 160, though the Under Secretary for the Colonies had stated that the number was confined to 39 males and eight females. The number of half-castes was 1,500, of liberated Africans 3,000, of blacks 15,000—making the total population about 20,000, of whom above half were Christian. The education of these people, 1,100 being children, was conducted by

*Mr. Stansfeld*

the persons connected with two Churches, one belonging to the Church of England, and the other to the Roman Catholic Church, and by 16 missions of the Wesleyan Church sent from this country. There consequently existed not only a love to England on the part of that population, but also a religious antipathy to being handed over to France. He would quote from *A Statement of Facts*, presented to the Colonial Office, and signed by Mr. Thomas Brown, Member of the Legislative Council of Gambia, a description of what had recently occurred there—

“In April last, a rumour, originating in Senegal, was spread that the British Settlements on the Gambia were to be transferred to the French Government; but as this could not be traced to any authentic source the merchants did not credit it; but the Native traders and inhabitants were alarmed, and immediately addressed a Petition to Lord Granville, pointing out and protesting against the injustice of the measure. No reply to this Petition had been received in Gambia up to the 11th of June, nor had Major Bravo, the Administrator of the Colony, received from the Colonial Office any information upon the subject, so that the inhabitants are kept in complete ignorance on the subject. On the 1st of May the French gunboat *Etoile* arrived at Bathurst, Gambia, having on board a French engineer officer and the ‘Director of the Interior’ of Senegal, with letters from their Governor, requesting the Administrator of the Gambia to allow these officers to survey and examine the public buildings, which was granted. On the 5th of June the French Admiral (Burgois), with Colonel Valiere, the Governor of Senegal, arrived in Gambia on board the frigate *Bellone*, having the gunboat *Etoile* in company. Major A. Bravo, the Administrator of the Gambia, immediately called meetings of the merchants, as also of the Native traders and inhabitants of Bathurst, to introduce them to the Governor of Senegal, in order to learn his views on the intended transfer. Colonel Valiere stated that his visit was not an official one, as the transfer of the Gambia to the French had not been completed; but he could assure them that taxation would be very considerably reduced, and ample protection to trade would be afforded, and he would be glad to hear their opinions on the subject. The merchants replied they had received no intimation of the transfer, nor had they any idea of the terms or conditions proposed; but they stated they preferred to remain under the British flag. The Native traders and inhabitants protested most strongly against being handed over to France.”

He would not read further extracts from this statement, but what he had read was sufficient to show that the inhabitants of the Colony, our fellow-subjects, had good reason for believing that their cession to the French Government was in contemplation. Three gentlemen of eminence in the Colony, Mr. Brown, Mr.



Quinn, and Mr. Chowne, who were now in this country, stated that they had been requested by Sir Arthur Kennedy to inform him whether any and what objections were entertained to the proposed measure. They stated that considerable objection was felt to the proposed cession; that, as subjects of the Queen, they wished to remain under the dominion of England, and had no desire to be transferred to France. These, however, Sir Arthur informed them, were, he feared, not sufficient reasons, and the probability was the cession would take place in August next. It should be considered that, now the troops were removed, the Colony did not cost to the mother country a farthing. It paid £10,000 a year in the shape of salaries to the Administrator, chief magistrate, collector of Customs, the colonial surgeon, chaplain, engineer, clerks, police, and gaols. It also paid certain pensions which were chargeable on the revenue. As British subjects the colonists felt that the mother country should continue to give them protection, at all events until they were prepared for self-government and could establish themselves as an independent State, like Liberia, and not hand them over against their will to France, to which, both on political and religious grounds, they had particular objection. The Under Secretary for the Colonies on the 10th of June stated, in answer to a Question put to him—

“Communications have passed between Her Majesty’s Government and the Government of France, having for their object the determining the limit of English and French influence on the West Coast of Africa, and that the transfer of Gambia to France is one of the steps under consideration as part of that arrangement. It may be well to state that, in 1868, the European population in Gambia numbered 39 males and eight females.”—[3 *Hansard*, cci. 1842.]

That was the only information on the subject before the House. But a further statement had been made by the First Minister of the Crown, who, after quoting a legal opinion as to the power of Government to transfer a Colony, said—

“That there never had been the slightest intention of taking any proceedings of the kind without the consent of Parliament.”—[*Ibid.* 1843.]

He had, therefore, thought it his duty to bring the matter before Parliament, because at that very time the right hon. Gentleman could not be aware that on the 5th of June the French Admiral had inspected the public buildings, and pro-

ceeded up the river, taking on himself to say that he was the representative of the Power to which very shortly the Gambia was to be transferred. The Under Secretary of State had, on a former occasion, alluded to the proceedings of a Committee in 1865, of which he (Sir John Hay) had the honour to be a member, and of which his right hon. Friend the Member for North Staffordshire (Sir Charles Adderley) was Chairman. Sir Charles Adderley had afterwards represented the Colonial Department in the House of Commons during the late Administration, and he, no doubt, had expressed views different from those which he (Sir John Hay) now was advocating. He must state, however, that the noble Duke at the head of the Colonial Department in Lord Derby’s Ministry (the Duke of Buckingham) did not agree with Sir Charles Adderley on this particular point. The Report of the Committee did not justify the transfer of any Colony to any other Power. It only said that the settlement on the Gambia might be reduced by M’Carthy’s Island, which is 150 miles up the river, being no longer occupied, and that the settlement should be confined as much as possible to the mouth of the river; that all further extension of territory or assumption of government, or new treaties offering any protection to Native tribes would be inexpedient; and that the object of our policy should be to encourage in the Natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the Governments, with a view of our ultimate withdrawal from all, except, probably, from Sierra Leone. After the statement of the First Minister of the Crown in answer to his Question on the 10th of June, in which he pledged his Government to take no further step in regard to the transfer of Gambia to France, without consulting Parliament, a letter was written by order of Earl Granville, then Secretary of State for the Colonies, to the Chamber of Commerce, Manchester, on the 23rd of June, of which this was an extract—

“I am directed by Earl Granville . . . to acquaint you . . . that negotiations are going on with the French Government for exchange of territory on the West Coast of Africa, which will involve a cession of the Gambia,” &c.

That extract seemed rather to be in opposition to the statement of the First



Minister of the Crown, as it conveyed a strong impression that the Colonial Office had determined, without consulting Parliament, to carry out the arrangement. He (Sir John Hay) thought the question so important that he had felt it his duty to call attention to the subject, and he begged to move for the Papers of which he had given Notice.

MR. BAILLIE COCHRANE said, he would beg to second the Motion of his hon. and gallant Friend, which he thought ought to give satisfaction to the Government, as it afforded them an opportunity of distinctly stating what their ideas were with regard to our colonial Empire; for there was an impression prevalent not in England only, but in the Colonies also, that the present Government were anxious to get rid of the Colonies. If that was not the feeling of the Government it ought to be distinctly stated. He was not in the House when a very interesting discussion took place on the subject of our Colonies, on the Motion of the hon. Member for Cambridge (Mr. R. Torrens); but he read it with great interest, and it conveyed to him the impression that no great affection existed between the present Government and the Colonies, and now this supposed intention to transfer *Gambia* to France seemed to confirm that impression. In his mind, it was no matter whether a Colony was large or small, whether it was on the Coast of Africa or in the Pacific, the principle of ceding a Colony was a highly important matter. He thought the House would agree with him in this principle, that there were only two occasions when Colonies could honourably be ceded or exchanged. The one was after a war, when in the interests of peace it became necessary to recast the map of Europe, or of the world; and the other was when, as a military operation, it was not desirable to retain a Colony as an outpost. On a former occasion, the right hon. Gentleman referred to the cession of the Ionian Islands. But the Ionian Islands were not a Colony; they were a Protectorate, and their cession was no justification or precedent for our giving up our Colonies. It might serve to guide them in their estimate of the relation of the Colonies to us if they remembered that, in one of his despatches, the Earl of Carnarvon wrote that any colonist who suffered injustice, whatever might be his class or

*Sir John Hay*

colour, had a right to protection at the hands of the Colonial Minister of this country. If that principle applied to an individual, how much more did it apply in the case of a whole Colony. He did not suppose that the right hon. Gentleman (Mr. Monsell) would defend the giving up of a Colony which had been so long connected with us, and a Colony which protested against being given up, and handing it over to a country with a totally different Government and a totally different religion. He rather thought there must have been some blunder in public opinion as to the feelings or views of the right Gentleman; but it was certainly remarkable that the French had sent their Admiral to the Colony to prepare them for the cession. He wished, before it was too late, to press upon the Government to consider what would be the effect upon other Colonies if they asked Parliament to cede *Gambia*. It would lead to universal distrust. *Gambia* was no expense to us, and he hoped, therefore, that the House would not sanction the policy of transferring it to France. While he was on this colonial subject, he wished to ask the right hon. Gentleman the Under Secretary of State for the Colonies whether the Government would not take into consideration the expediency of amending the Colonial Governors' Pension Bill, so that a Governor serving six years should be entitled to a pension?

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of all Papers relative to the contemplated transfer of the Colony of *Gambia* to France,"—(*Sir John Hay*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

VISCOUNT SANDON said, that as he had been some years ago at the Colonial Office, the question before the House was one in which he took considerable interest. He would not, however, enter into the general subject on this occasion, but would content himself with asking the right hon. Gentleman opposite (Mr. Monsell) two questions, on which he wished to have a distinct answer—first, whether the inhabitants of *Gambia* had

been, or would be consulted as to their desire to be transferred to France; and, secondly, whether the Board of Admiralty had been consulted with respect to the importance of the Colony as a naval coaling station in the event of war; and whether any correspondence had passed between the Admiralty and the Colonial Office on the matter? No Colony, he might add, great or small, ought, in his opinion, to be transferred to another nation against the wishes of its inhabitants, or without Parliament being consulted before the good faith of the country was so far pledged that they could not, with honour, withdraw from the engagement. Those transactions, he might add, were watched by the great commercial communities such as that with which he was connected, with much jealousy, and it was on all accounts most desirable that they should not be carried out without due time for the fullest consideration being given to all those who were concerned in them.

MR. MONSELL said, he thought the House would go along with him if he declined on the present occasion to be led into a general colonial debate. He must, at the outset, protest altogether against the supposition that it was the intention of the Government to part with any territory which might be truly called a British Colony. He felt as strongly as any man that one of the noblest prerogatives which belonged to this country was that of establishing all round the world Colonies which would, in the future, develop into nations of our own race, but it would be a degradation to apply that ennobling idea to a small territory which after we had had it in our possession for 200 years contained only 47 European inhabitants. Before entering further into the subject he might state, in reply to the hon. Member for the Isle of Wight (Mr. Baillie Cochrane), that while the Government would be ready to consider what was due to justice in the case of the Colonial Governors, he could not promise that any alteration would be made in their position. In answer to the noble Lord who had last spoken he might add that no such correspondence as that to which he had referred passed between the Admiralty and the Colonial Office. The Papers asked for by his hon. and gallant Friend (Sir John Hay) he should have no objection to give; but in reply to his hon. and gallant Friend's

remarks, he must observe there was not and never had been any intention of handing over the settlement of Gambia to the French without, in the first instance, consulting Parliament, and the honour of England would in no way be pledged in the matter without giving Parliament the fullest opportunity of pronouncing an opinion upon it. In every statement that had been made to the French Government that was put in the front; every arrangement that had been made with them was made subject to the consent of Parliament, and that consent would be asked for probably before the close of the present Session. His hon. and gallant Friend relied very much on a statement made by Mr. Brown, but in a letter which was written by Mr. Brown and the principal merchants of Gambia on the 12th of August, 1869, they gave the following description of the Colony:—

"This small trading community, on a sandbank 38½ miles in length and one mile broad, the half of which is an uninhabitable swamp, . . . and has a population of about 4,000, of whom about 50 only are European."

Now, he should, in the next place, observe that the question of the cession of Gambia did not originate with Her Majesty's Government. It had been suggested, after a visit which he paid to that settlement, by Sir Arthur Kennedy, a similar suggestion having been made a few years ago by the late Governor Blackall, who gave it as his opinion that it would be advantageous both to France and to England if they would come to some definite understanding, by which mutual jealousy and interference might be avoided, adding that he would advise the adoption of that course even at the cost of an exchange which might, in the first instance, appear disadvantageous. His successor, Sir Arthur Kennedy, in a despatch dated the 13th of March, 1869, wrote as follows:—

"The European population is insignificant in number and never likely to increase. The situation of the settlement renders it very unhealthy for four months of the year. This evil may be mitigated, but never wholly remedied, at the cost of extensive and expensive drainage works."

The Gambia Settlement was not only unhealthy for Europeans, but it was unsuitable even for the Africans. In the Blue Book published in 1866 or 1867 there was a statement that between the years 1857 and 1866 the number of births was about 1,200, whilst the num-



ber of deaths was 2,300, and that it would be impossible to preserve the Colony from extinction but for immigration. Sir Arthur Kennedy went on to say—

“The revenue, depending as it does mainly upon the export of ground nuts, must be always precarious and fluctuating. A deficiency of revenue for 1869, as compared with 1868, to the extent of £3,667 is expected. The nature of the surrounding population forbids the hope that civilization or British influence can ever be greatly extended, and peace can never be enforced or expected for any lengthened period among a population where such discordant religious elements exist. Almost the whole bulk of trade is in French hands—produce paid for in cash and carried in French bottoms to French ports. The producing portion of the population belongs to unsettled, wandering tribes, who hire and exhaust the land and then go elsewhere. This system of cultivation will soon render the land valueless, and of course lessen the amount of produce. An outlay far exceeding the amount at present to the credit of the settlement is required to erect a wharf, rebuild the Government House, and drain the swamp. The turbulent and aggressive character of neighbouring populations renders the maintenance of a military force necessary at a serious expense. Lately there were 15 officers of all ranks to superintend 120 men. A militia is impossible. The position of Bathurst is, in a military sense, indefensible, and would prove a source of embarrassment in time of war as it is of serious expense in time of peace.”

Such was the opinion which had been expressed by the Governor General of the West African Settlements in the course of last year, and it was in consequence of the information which he had conveyed to them that the Government were induced to take the matter into consideration. Now, the question was one in dealing with which the present Earl of Derby had, he thought, hit the nail on the head when, referring to *Gambia* and other settlements on the West Coast of Africa, he said—

“When I say they serve no useful purpose, I mean that they do not answer the end of promoting our trade, because I suppose nobody imagines that we increase our political influence or military power by retaining them. We ought to view this simply as a question of trade.”

For the sake of trade it would or would it not be advantageous for us to keep the settlement; and he would be able, he thought, to lay before the House facts which would completely satisfy them on that subject. He found that the value of the imports into *Gambia* in 1869 was £94,207, of which only half came from Great Britain. The value of the exports was £91,000, of which only £20,000, or about one-fifth, were to Great Britain. The number of ships entered was 188;

*Mr. Monsell*

of which 34 were from Great Britain, 21 direct from France, and 90 from Liverpool and Goree. Of the 34 from Great Britain 20 were mail steamers, whose aggregate tonnage was 15,700. Deducting these 20 from 34, 14 remained, representing 3,286 tons, against 111 French vessels, with a tonnage of 11,495 tons. Of 198 vessels which cleared from Bathurst, 39 went to Great Britain, 110 to France. Of the 39 to Great Britain 19 were subsidized mail steamers. There were four English commercial houses, two conducted by resident principals, all restricting their business; and four French houses extending their business. Trade by barter, which was the English system, was being superseded by cash transactions of French traders. The French capital considerably exceeded the English. Much of the revenue was derived from growth of ground nuts, which were now being grown in the Southern States of America. It would be seen by those figures that the exports and imports of *Gambia* were, so far as we were concerned, absolutely insignificant, and that the great mass of the trade was getting into French hands. Under these circumstances, the Colony being really of no advantage to us, and Sir Arthur Kennedy having given it as his opinion that it would be a good exchange for us that France should abandon her claim to interference with or sovereignty over the Monah and Samo country, and we give her *Gambia*, the Government had taken the subject into their consideration. Acting on that same principle, the Government were negotiating with Holland for the purpose of obtaining, and he believed they would obtain, a very valuable possession belonging to her on the Gold Coast, which would tend to consolidate our territory, and lead not only to the expansion of our trade, but the civilization of the Natives; for nothing operated more to the injury of our interests, and to check the progress of civilization in that quarter, than the conflicts which were constantly occurring between the Natives, who were protected by different Powers. We could not, it should also be borne in mind, continue to keep possession of *Gambia* without entailing on ourselves considerable expense, especially for military purposes. The idea of the Colony going on without support from any civilized power, and being able to maintain itself against the warlike



tribes, was quite absurd. In times of peace the Colony might be able to get on, but in time of war it must claim assistance. The liberty of the people in respect of their religion was a point that had been strongly insisted upon in the negotiations with France, as well as the protection of their lives, property, and civil liberties. The care taken to protect religious liberty had, perhaps, been more than was necessary, for he did not think there was any country in which there was greater religious liberty than there was in France. In order to ascertain the feelings of the population with respect to the proposed transfer, Sir Arthur Kennedy, Governor of Sierra Leone, was sent to the Gambia, and he reported that he could hear nothing to induce him to believe there was any serious opposition to the transfer, and that he felt more than ever convinced of the soundness of the policy of Great Britain in endeavouring to divest herself of a responsible charge, the possession of which offered no equivalent advantage. He supposed it was not expected that they should take the votes of the people by a *plébiscite*, and he did not see that they could have got at the opinions of the people by any means other than those which they had adopted. As he had said, all the questions raised would be very carefully considered by the Government, as would every statement made by the merchants, who had been invited to make representations of the losses they were likely to suffer; for, while the Government felt that it was to our interest that this settlement should be got rid of, they also felt strongly that we were bound to protect, as far as possible, private interests. In these respects, therefore, he was able to give the hon. and gallant Gentleman the fullest assurances. With regard to the whole matter, no step would be taken which would in any way commit this country to the cession without everything being laid before the House; and his conviction was, that when the whole question was fairly submitted, and when we considered the unhealthy climate of the settlement, the moral and physical effect of it upon the people we sent there, and the great advantage that we should derive from the cession France made to us, the House would come the same conclusion as the Government had arrived at, that it was for our interest that the cession, or rather exchange, should be made.

SIR CHARLES ADDERLEY said, that the question was wholly unconnected with party, for the negotiations on the subject had been carried on by three successive Governments. They were begun by Lord Clarendon in 1866, and were continued by the late, and then by the present Government. The question simply was, whether the proposed exchange would be advantageous to the interests of this country or otherwise. No one could suspect him of any inclination to consent to the cession of any territory of the Queen in any part of the world, for when the cession of the Orange River Territory was proposed he stood alone in opposition to the project—and the year before last he only consented to an exchange without diminution of territory on the Gold Coast. He maintained that no cession or exchange should be completed without the knowledge of Parliament. No one could regard the Gambia as a Colony in any sense whatever. It was a mere settlement or station, established by us first for the purpose of carrying on the slave trade, and afterwards used for the suppression of that trade. It had been regarded of late merely as a station for carrying out the anti-slave trade policy. The settlement could not be of any importance to the trade of this country. The trade, such as it was, being almost entirely in French hands; no English mercantile interest whatever existed for maintaining that settlement. With respect to its use as a coaling station, he believed it would be as useful to us on that account if it were in the hands of the French, because if war broke out the question as to who would get the coal stored there would depend on which Power was master of the seas at the moment. It had been said that it was a most eligible station, and that the Gambia was a fine river. Time was when a great desire existed to get hold of every fine harbour throughout the world and hold it as a station; but the feeling of the country now was that it was not desirable to lay hold of stations all over the globe, because by so doing our naval strength was uselessly scattered. The reasons for retaining the Gambia were of a trivial and sentimental nature; but the reasons against so doing were unanswerable. It was a station absolutely pestilential to English constitutions, and the advantages ought to be very great indeed for maintain-

ing it at such an enormous sacrifice of life. There was no portion of the West African Coast which was more certain to become the scene of tribal warfare very soon than this settlement at the mouth of the *Gambia*. At this very moment the Mahomedan tribes in the interior were pressing the coast tribes down towards that point. The French had an enormous military station on the Senegal, and as they seemed to be in love with tribal wars it would be better to let them undertake and enjoy them. They had, in fact, began already. If by a change of station we could get out of these wars and strengthen our position lower down, leaving the French to fight coming battles, he did not think we should have reason to regret any loss of glory. The West African Committee of that House came unanimously to the conclusion that it was advisable for the country to get out of all their responsibilities and liabilities along the West African Coast, retaining only *Sierra Leone*, and the idea of the Committee was that self-government should be as speedily as possible developed and fostered among the people of these settlements, in order that we might soon abandon them, securing, of course, the interests of merchants and settlers during our occupation. As to the merchants and traders at the *Gambia Settlement*, they would be as well cared for and protected by the French as by us. If the English merchants thought a garrison useful, the French would supply them with one three times the size this House would ever allow this country to place there. The question was not at all a question of a party character; but it was one which affected the interests of the country, and he could not conceive that anybody would entertain much doubt that the interests of this country would be served by the exchange which was contemplated—for it should be borne in mind that what was proposed was not a cession, but an exchange. Our station at the mouth of the *Gambia* was only 200 miles from the French military station at the Senegal, while it was 500 miles away from our nearest station, *Sierra Leone*; and it was proposed that the French should give us an undisputed right to several stations nearer to *Sierra Leone* about which there was dispute at present, and that we in exchange should give them the *Gambia* station, which

was practically already French. He hoped there would be no unnecessary delay in completing the negotiations on the subject.

COLONEL SYKES said, that while we ought to feel obliged to the French for taking this pestiferous spot, we ought to remember that the people, some 3,000 or 4,000 in number, including 50 Europeans and four English houses of trade, were British subjects, and ought not to be transferred to a foreign jurisdiction without their own consent. He was not satisfied with the Report of Governor Kennedy as to the means he took to elicit the opinions of the people, for he simply said he “understood” and “believed” there would be no objection on their part to the transfer. The people had been living under English laws, and they would find those of France quite different, and they ought distinctly to be informed of their probable future position. He wished, further, to call attention to the risk incurred by the Ministry of compromising themselves with Parliament by negotiations for transferring our territory without the previous consent of Parliament.

MR. MONSELL said, he had already stated that the French Government had been informed that no step would be taken in the matter without the consent of Parliament.

COLONEL SYKES said, he was speaking generally, and if Parliament refused to sanction a proposed transfer the Ministry would find themselves in a false position.

MR. EASTWICK said, no proper answer had been given to the questions whether the transfer would be made with or without the consent of the inhabitants, and whether the opinion of the Admiralty had been taken as to the propriety of retaining the settlement for a coaling station. The chief object which the Governor of *Sierra Leone* would necessarily have in his mind in his inquiries would be the improvement of his own Colony. Regarded as a coaling station, if the place would be as valuable to us in the hands of the French as it was in our own, why should we not at once transfer Malta and Gibraltar to the French? The rule, if good in one case, would apply to all our possessions. To a certain extent, the opinion of the House had been already recorded against this transfer, for the



first Resolution of the Committee of 1865 was that it was not possible for the British Government to transfer any settlement on the West Coast of Africa, either wholly or in detail, and if the Committee in the third Resolution pointed to a limited transfer of our possessions, except Sierra Leone, it was done in terms which implied the lapse of a considerable interval of time; and if a cession was to be made at all, it was to be not in favour of a foreign Power, but in favour of a government by the inhabitants themselves. It was the people themselves who were principally concerned, and if they were opposed to transfer to the French no Government in the world, and least of all the English Government, should think of transferring them against their wishes. In this case there was a population of 20,000 speaking the English language, and it would be inconvenient and calamitous that they should be subject to the rule of those whose language they did not understand. Then the people were all Protestants—chiefly Wesleyans and Baptists, and some of them members of the Church of England; and, of course, they did not wish to be placed under a Roman Catholic Power. In addition, they had been accustomed to a moderate and equitable administration, and as every day their settlement afforded a refuge to those who escaped from the French rule, could they think that French rule would offer them any advantages? No pecuniary advantage would be gained by the transfer, because the revenue of the Colony more than covered the expenditure. We did not know how much harm might not result to the trade of the place by the adoption of that course. There was one consideration which was entitled to great weight, and that was that the presence of the British in the settlement had put an end to many abominations in the locality, such as the carrying on of the slave trade and the cruel practice of human sacrifice, and a revival of that and other horrible customs was dreaded in the event of the withdrawal of the British authority as was stated before the Committee of 1865. The right hon. Gentleman (Mr. Monsell) had described the climate as pestilential; but he saw lately a gentleman who had lived in the Colony for 20 years, and his appearance was quite as good as that of the right hon. Gentleman.

MR. T. HUGHES said, the people of the settlement were British subjects, and it must not be forgotten that besides the 50 whites, there was a large negro population, the descendants of those who had been taken out of slavery by our ships, and placed there under the guarantee of the British Government. We were responsible for them, and for maintaining our jurisdiction over them as long as they chose to submit to it. It was quite time that we should recognize no distinctions of colour in free citizens. It was said that the settlement would be as well, and perhaps better protected under the French Government than under ours; but as the French settlement at the Senegal was a purely military settlement, there was no doubt that the French, if they went to the Gambia would carry out the same system and would be constantly at war with the neighbouring tribes, and great misery would be inflicted on the people. He felt bound to protest, especially after the serious news which had only just reached the House, against handing over the Gambia Settlement to a Government which, before all things, was a purely military Government. That would be the very worst policy and that policy he would never sanction.

MR. HEYGATE said, they had now received a clearer declaration of the policy of the Colonial Office than they had ever had before. That policy seemed to be to take no care of small and insignificant dependencies, which were not likely to be remunerative to this country; and it would be no satisfaction to the people of the Gambia Settlement to learn that if they had been stronger and more powerful they would have had a chance of being better cared for. He hoped the right hon. Gentleman's sympathies would get enlarged during the Recess, and that he would have more consideration for the future for small and weak dependencies, which had been connected with us for so many years. It was a very singular state of things, if our subjects were to be transformed at any moment into Frenchmen, Spaniards, or Dutchmen, without their knowledge or consent.

SIR THOMAS BAZLEY said, he wished to know whether proper protection and security would be given to our merchants and traders under the proposed change? Their interests ought to be properly protected.



MR. MONSELL said, a deputation of merchants came to the Colonial Office yesterday; and they were informed that the Government felt bound to consider their interests, and they were requested to put in writing the character and amount of the losses they anticipated from the cession of Gambia. Their statement would be carefully considered.

MR. MACFIE said, this was not a small question, nor a question of pounds, shillings, and pence, but a question of Imperial policy, and he hoped that we should keep the Gambia Settlement for ever.

SIR JAMES ELPHINSTONE said, he must strongly condemn the cession of a Protestant community to the French. The right hon. Gentleman must know very little about the administration of French colonies. But regarding the question from another point of view, and looking at Gambia as a coaling station, there were the strongest reasons against ceding it to the French. If we were at war, and the French happened to be neutral, Gambia would be entirely closed to us; and this would be the more disastrous, because the River Gambia was the only one on the West Coast of Africa which could be approached at all seasons.

Amendment, by leave, *withdrawn*.

#### INDIAN FINANCE.

##### WITHDRAWAL OF NOTICE.

MR. FAWCETT, who had a Notice on the Paper to move, That, considering the present unsatisfactory condition of the finances of India, and the discontent with which some of the financial proposals of the Indian Government are now creating among the people of that country, this House regrets that it will not have an opportunity of hearing the Indian Financial Statement until the close of the Session, said, he would withdraw his Notice, on the assurance that the Indian Budget would be brought forward on an early day, when he would have an opportunity of making observations on the subject, which were the result of deliberate and careful consideration. In justification of himself, however, he would say that an impression had got abroad, which was strengthened by a recent occurrence, that so little interest was taken by the House in Indian questions that one had only to be broached to lead to

a count-out; and he was anxious to show that he, at all events, did attach great importance to such topics. Unless that House was going to sever all connection with, and give up all interest in, the affairs of India, there never was a time in the history of the dependency, when its finances more urgently required the keen and scrutinizing investigation of the House of Commons.

#### METROPOLIS—ORNAMENTAL WATER IN REGENT'S PARK.

MR. HARVEY LEWIS, who had a Notice on the Paper to call the attention of the House to the danger to the public health, arising from the foul and offensive state of the ornamental water in the Regent's Park, and to move a Resolution, said, it would be in the recollection of the House that some years ago a very painful accident occurred, in which very many valuable lives were lost, and in consequence of that an arrangement was come to that the water in winter should not be deeper than four feet; and in summer the depth should not exceed five feet. Unfortunately, we had had a very dry summer; and the ornamental water was in a very bad state. On Saturday morning last, however, the First Commissioner of Works had attended in Regent's Park with the medical officer of Marylebone, and, in his presence, made a practical investigation into the subject. He (Mr. H. Lewis) could bear his testimony to the extreme anxiety with which the right hon. Gentleman examined the whole case; the result was that arrangements would be made to have the water thoroughly cleansed, and to preserve an uniform depth of four feet in winter and five feet in summer. This so completely satisfied him that he would leave the matter with the utmost confidence in the hands of the right hon. Gentleman, and would therefore withdraw his Notice.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

#### SUPPLY.—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) Question again proposed,

"That a sum, not exceeding £75,114, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come

in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

Whereupon Question,

"That a sum, not exceeding £73,834, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments,"  
—(Mr. Whitwell,)

—put, and *negatived*.

Original Question put, and *agreed to*.

(2.) £2,211, to complete the sum for Privy Seal Office.

(3.) £13,792, to complete the sum for Charity Commission.

MR. A. JOHNSTON said, he had intended to bring the whole subject connected with this Commission under the review of the Committee; but after what had occurred that morning he must confess to a certain amount of physical exhaustion, in which, no doubt, many hon. Members shared. He could not help, however, deprecating the practice exhibited in this Vote of subsidizing out of the pockets of the taxpayers those endowed charities which many of them were beginning to regard as very doubtfully useful or politic. If he went into the subject, he could show they were actually bribing them to exist and to multiply. A vast number of these charities did harm rather than good; and he thought that, at all events, an income tax should be imposed upon them which would suffice to defray the cost of the Commission, amounting altogether to £45,000 or £50,000 a year. In the year 1866, the Government promised attention to the matter, and notice was drawn to it in 1867 by an hon. Member. The First Minister called attention to the subject, when out of Office, and the Chancellor of the Exchequer had endorsed the view of the right hon. Gentleman; and he (Mr. A. Johnston) believed if a proposal to tax the charities was introduced into the House, it would meet with a more favourable reception than was accorded to it before. Lord Eldon had long ago condemned the way the charity estates were dealt with in this country; and, although things in this regard had improved since his time, they had done so absolutely but not relatively. He (Mr. A. Johnston) had lately been engaged

in investigating many of the charities of the City of London; and the waste, improvidence, and misappropriation which had been discovered were such as the House would hardly believe. He hoped the whole subject would receive the serious consideration of the Government.

MR. STANSFELD said, he did not underrate the importance of the subject, but he thought it unadvisable at the present moment to enter into discussion upon it, which must occupy a considerable time. The Report of the Charity Commissioners had however been under the consideration of the Treasury, and the view the Treasury took was that the financial result of their suggestions was by no means in proportion to the exigencies of the case.

*Vote agreed to.*

(4.) £9,612, to complete the sum for Civil Service Commission.

MR. RYLANDS said, he wished to call attention to an increase in the Vote arising from the appointment of a second Commissioner, at a salary of £1,200 a year; and he should like to know under what circumstances that appointment was made?

THE CHANCELLOR OF THE EXCHEQUER said, that the practice had hitherto been to have one paid and one unpaid Commissioner; but the work had increased so much, both in amount and in importance, that on a vacancy occurring it had been filled up by the appointment of a second paid Commissioner.

MR. STANSFELD said, that the public economy had rigidly been studied in making the alteration.

MR. ALDERMAN LUSK said, he hoped that the Commissioners would take into their own hands the nominations for the Civil Service, so as to prevent the trouble and annoyance to which Members of Parliament were frequently subjected.

*Vote agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £15,008, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Copyhold, Inclosure, and Tithe Commission."

MR. A. JOHNSTON said, he would advocate revising the table of fees so as to make this Commission self-supporting. He thought it was high time to stop subsidizing lords of manors, who, as a rule, were not poor people, and he therefore moved the reduction of the Vote by £4,000.

Motion made, and Question proposed,

"That a sum, not exceeding £11,008, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Copyhold, Inclosure, and Tithe Commission."—(*Mr. Andrew Johnston.*)

MR. SCLATER-BOOTH said, that the hon. Gentleman was rather impatient, for the Act by which these fees were levied had only been in operation about a couple of years.

MR. RYLANDS said, he objected to charges for the benefit of individuals being imposed on the public, and he hoped the matter would be pressed to a Division, if the Government would hold out no hope of reducing the Vote.

MR. STANSFELD said, that the time had not yet arrived for looking into the working of the existing system with respect to these fees; but before next year's Estimates were prepared the Government would be in a position to do so.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(6.) £8,250, to complete the sum for Inclosure and Drainage Acts Expenses.

(7.) £28,349, to complete the sum for Exchequer and Audit Department.

MR. RYLANDS called attention to an item of £500, included in the Vote for servants and charwomen.

MR. STANSFELD said, he did not think the charge was an extravagant one, seeing that there were about 130 people employed in the Department.

MR. M'LAREN said, it appeared to him that the Office was overweighted with messengers and porters.

MR. CANDLISH said, that there were no public servants who rendered more valuable services for their pay than the officers of this Department.

MR. RYLANDS said, it was no answer to a complaint of unnecessary expenditure to tell the Committee that the Office was doing its duty efficiently.

MR. ALDERMAN LUSK said, he wished to ask whether the recent commutation of a pension which did not exist had come before the Audit Department?

MR. STANSFELD said, that this error had not arisen through inaccurate book-keeping in any Department, but through the negligence of a clerk—an act against which no system of book-keeping could guard.

*Vote agreed to.*

(8.) £32,720, to complete the sum for General Register Office.

(9.) £10,390, to complete the sum for Lunacy Commission.

MR. WHITWELL said, it was only reasonable that the private lunatic asylums, which were very profitable, and which benefited largely by the visits of the Inspectors, should be made to contribute towards inspection.

*Vote agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £30,550, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."

MR. MUNTZ said, he must complain of the increase of £1,800 in incidental expenses, of which no explanation was given; and a still more serious complaint was the charge for loss on coinage, which was unnecessary. Up to 1856 this loss had been £785 per 1,000,000 sovereigns; but a gentleman who was at one time connected with the Mint had written a book, in which he proved that the loss might easily be reduced to £7 per 1,000,000, and that with proper care of the sweepings there need be no loss at all. The average manufacture per year for the last 30 years had been £3,000,000, and according to this calculation, the entire loss per year would be £21. By voting such a sum as £2,000 they encouraged waste or something worse, for it appeared that in past years there must have been considerable speculation. If, as he was now informed, the sum of £1,800 which appeared in the Estimates was to defray the expenses of a Commission appointed to inquire into the working of foreign mints, he must say he did not think there was



any necessity for sending a body of peripatetic philosophers all over the world to find out what could be discovered at home. He moved the reduction of the Vote by £3,700.

Motion made, and Question proposed,

"That a sum, not exceeding £26,850, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."—(*Mr. Muntz.*)

MR. BARNETT said, he thought that this roving Commission for visiting the various Continental capitals would find that either the coinage or the mints had been made in England, and that a visit under proper auspices to Birmingham would have given all the information wanted. The Commission consisted of a chemist, an engineer, and the Deputy Master of the Mint. The latter was a most valuable public servant, and a personal friend of his own, but his services would be better employed at home. If, as he was informed, a large quantity of gold was given out to private refiners, he thought there must be risk of loss. He wished to know whether there was any truth in the rumour that the Mint was to be transplanted to Somerset House, and that one of the quadrangles of the latter building was to be excavated for its accommodation. Many persons connected with Somerset House thought that placing workshops and smelting furnaces there would be injurious to their health and a great nuisance to them in their work, and that the weight of the machinery above ground might prove a cause of danger to the building itself.

MR. CRAWFORD said, the inquiries of the Commission abroad were not directed to mechanical operations, but to the departmental relations between continental Governments and their mints, and considerable advantage might be expected from such an investigation. He wished to take the opportunity of calling attention to the efforts which were being made to call in light sovereigns through the medium of the Bank of England. He was once asked what was the lowest amount the Bank of England would receive, and he replied that if a single light sovereign were brought there the value would be returned for it. In this way they would

assist the Bank in its efforts to withdraw all light sovereigns as soon as possible from circulation. [Mr. BARNETT said he hoped the Bank of England would set the example.] He said every sovereign that went into the Bank of England was weighed; a light coin was never passed over its counter, and he mentioned last year that the Bank lost £4,000 by adopting that plan.

SIR DAVID SALOMONS said, he thought it a great advantage that the officers of the Mint should go abroad to inquire into the practice of other nations. To the hon. Gentleman who last spoke he felt bound on the part of the public and of the bankers to express thanks for assisting in measures which, in all probability, had had the effect of removing a great deal of light coin from circulation. No doubt much credit was also due to the Chancellor of the Exchequer on this head, for until those measures were adopted with his concurrence light sovereigns had never obtained their full value. Now, whoever sent light sovereigns to the Mint would receive back their weight in heavy sovereigns.

THE CHANCELLOR OF THE EXCHEQUER said, that some loss must be entailed by coinage, and all he could say was, that the Mint would do its best to reduce that loss to the lowest possible point. The gold coinage every year amounted to about 8,000,000 sovereigns, and he hoped the Committee would not strike off the £2,000, because whatever the waste might be it must be paid, and that was the usual estimate of loss. He hoped it would be possible to reduce the loss; but in the meantime it was necessary to have the money in hand to cover that which actually occurred, and he must ask the House not to take for granted everything that was to be found in the pamphlet which had been referred to by the hon. Member for Birmingham (*Mr. Muntz*). The author of it was discharged from the Mint by the late Dr. Graham; and being anxious to get back again, and not being successful in the attempt, he had written the work in question. He (the Chancellor of the Exchequer) had made inquiries of a very eminent private refining house, and he was surprised to find that their loss was considerably more than that of the Mint. The metal was extremely subtle and in the process of refining, pene-

trated everything in the neighbourhood; and he was informed that there was a great deal of money to be made by sweeping the chimneys of the Mint. As to the tour of the Commissioners, he thought seeing it was the intention to move the Mint from its present situation, which was too large and expensive for the object, that it was not an improvident step to send persons about to get hints from foreign mints for the improvement of the establishment in this country. The machinery sent from Birmingham was frequently altered in accordance with the contrivances of foreign inventors, and some of it was not sent from this country. Therefore the Commissioners would be able to get valuable hints with regard to these matters, as well as to the modes of management of foreign mints and their relations with the various Governments. He might remind the House that the gold at the Mint bore interest while in course of manufacture, and if the time consumed in the manufacture were reduced, the expense would be reduced. He, therefore could not regard the money spent on the scientific Commission as thrown away, and the Report which they would prepare on their return would, he hoped, prove the best answer to the objections taken to the duty assigned them. In answer to the question of the hon. Member for Woodstock (Mr. Barnett), he had to state that it was intended, whenever a suitable site could be found, to move the Mint from Tower Hill. If there occupied four or five acres of very valuable ground, while only one acre was really required, and the manufacture was one which did not require a very prominent site. As to Somerset House, his opinion was, though he did not speak positively on the point, that it would not be wise to move the Mint there. It had been suggested that it might be placed near the terrace, fronting the river; but he was sorry to say that the foundations in that part were not very good. The buildings already there showed signs of sinking, and were supported by iron girders; and if they introduced machinery upon the spot it was possible they might do, and certainly they would get the credit of doing, considerable injury. On the other hand, he agreed as to the very questionable nature of the proposal to dig a great hole in one of the quadrangles of Som-

set House for the purpose. As at present advised, he was not prepared to move the Mint to Somerset House; but there were several other sites in view. The question was still in suspense; but he hoped shortly to fix on a site that would enable him to dispose of the valuable land the Mint now occupied on Tower Hill.

Question put, and *negatived*.

Original Question put, and *agreed to*.

(11.) £12,262, to complete the sum for National Debt Office.

(12.) £26,265, to complete the sum for Patent Office.

Mr. BOWRING said, he would beg to ask whether the Government had come to any decision as to the erection of a Patent Museum at Kensington, in conformity with the recommendation of the Select Committee of six years ago?

Mr. ALDERMAN LUSK said, he wished to call attention to the very large fees paid to the Attorney General and Solicitor General in patent cases. He hoped that some means would be taken to improve the system of granting patents.

Mr. AYRTON said, the question of appropriating land at Kensington for public buildings would shortly be brought under the consideration of the House. There was some difficulty in settling the exact places. It was necessary to determine on what principle the Patent Museum at Kensington should be constructed. When time had been given for the consideration of the question it would be brought before the House, if there was any project for erecting at Kensington a building for a permanent Museum of Patents. The receipts from stamp duties on patents had always caused much misapprehension. The sums derived from fees and from stamps had been ascertained in former years by the Committee of Investigation.

Mr. NEVILLE-GRENVILLE said, he thought the whole subject of patents was in an unsatisfactory state. It seemed to him that the Law Officers of the Crown received from fees on patents larger incomes than the First Lord of the Treasury and the Lord Chancellor.

Mr. DILLWYN said, he did not grudge the Law Officers their fees; but objected to the money coming out of the pockets of unfortunate inventors, who it seemed were in future to be re-

quired to do work that had been done for them hitherto by the Patent Office.

THE SOLICITOR GENERAL said, he thought the Law Officers were a much misunderstood class, especially in the matter of fees. For a fee of one guinea, or at the most two guineas, specifications were examined by a staff of clerks who had to be kept for that purpose. Patentees would in future be required to provide abstracts of their specifications, because they could do so better and cheaper than the work could be done at the Patent Office.

MR. HINDE PALMER said, the Law Officers' fee was not a large one, but that was a small item in the cost of a patent, which amounted to £175. Some persons thought that patents ought to be abolished altogether. He did not share that opinion. He had given Notice to move for a Committee to inquire into the working of the Patent Laws with a special view of cheapening the cost of patents to working men; but it was now too late in the Session to enter upon such an inquiry. He hoped there would be an inquiry into the subject next Session. Some of the most useful inventions had sprung from working men, and it was the duty of Parliament to afford them every encouragement.

MR. WALTER said, he thought the Committee would do well to let the question remain in its present position until they were able to deal with the Patent Laws. He was not prepared to recommend the cheapening of patents until the country had made up its mind as to what patents ought or ought not to be. It was well known that under the present law the great majority of patents were delusions and snares; they were worth nothing to the unfortunate persons who had taken them out at great expense. He had nothing to say against patents, but as they were blockades against the whole world, they ought to be *bonâ fide* substantial things. Under the present law a vast number of patents were merely a misnomer and hindrance to inventors.

MR. ALDERMAN LUSK suggested that the Law Officers should be paid by salary instead of by fees.

Vote agreed to.

(13.) £16,432, to complete the sum for Paymaster General's Office.

(14.) £170,109, to complete the sum for Poor Law Commission.

(15.) £17,487, to complete the sum for Public Record Office.

(16.) £3,563, to complete the sum for West India Loan Commission.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £2,044, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Offices of the Registrars of Friendly Societies in England, Scotland, and Ireland."

House resumed.

Resolutions to be reported upon Monday next;

Committee also report Progress; to sit again this day.

The House proceeded with the Orders of the Day: and it being ten minutes to Seven of the clock, Mr. Speaker left the Chair.

House resumed at Nine o'clock.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### CONSTITUTION OF THE BOARD OF TRADE.

MR. MACFEE rose, according to Notice, to call attention to the constitution and working of the Board of Trade and other Administrative Departments—when

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present—

House adjourned at ten minutes after Nine o'clock till Monday next.

#### HOUSE OF LORDS,

Monday, 18th July, 1870.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Life Assurance Companies (190); British Columbia (123); Curragh of Kildare\* (183); Judicial Committee (212); Magistrates, &c. Election (Scotland)\* (187).

Committee—Married Women's Property (196-216); Public Health (Scotland) Supplemental\* (154-217); Liverpool Admiralty District Registrar\* (170-218).

Committee—Report—Passengers Act Amendment\* (176).



*Third Reading*—Prayer Book (Tables of Lessons) (202); Customs and Inland Revenue\* (146); Siam and Straits Settlements Jurisdiction\* (197); Charitable Funds Investment\* (181); Rents and Periodical Payments\* (180), and *passed*.

#### FRANCE AND PRUSSIA—QUESTION.

EARL RUSSELL: I wish to put a Question to my noble Friend the Secretary for Foreign Affairs on the subject of the late negotiations respecting the differences between France and Prussia, of which I have given him private Notice. It is now unhappily but too certain that the calamity of war has befallen Europe. The first intimation we had upon the subject was by the statement of the French Minister of Foreign Affairs on the 5th July; and some days afterwards an announcement was made that France would declare war, and I have since heard that that declaration of war has been sent to Berlin. Now, if the French Government had stated what were their grounds for declaring war, and had not the French Chambers unanimously approved the course of their Government, I should not, as a Member of the British Parliament, have thought of putting any Questions on the subject, unless upon a regular Motion in this House; but it appears that the French Ministers have represented Her Majesty's Government as approving the course they have pursued. On the 11th of July, M. de Gramont said—"Up to the present all the European Cabinets appear to admit the legitimacy of our complaints," and on the 15th M. Ollivier, the Prime Minister, said—

"We commenced negotiations with the foreign Powers to invoke their good offices with Prussia, in order that the legitimacy of our grievances might be recognized. The majority of the Powers admitted with more or less warmth the justice of our demands."

Now on these statements of the French Minister several questions arise. Of course, no one would wish my noble Friend to undertake the responsibility of doing more than he has actually done with the laudable purpose of preventing war; but I wish to ask him, in the first place, whether he will make a regular statement such as was made in 1823 and 1854, in the former year with reference to the failure of the negotiations for preventing a war with Spain, and in the latter year with reference to the war with Russia? I wish, secondly, to ask, whe-

ther the "approbation with more or less warmth" of Her Majesty's Government simply applied to the belief entertained by the French Government that they had good ground to complain that Prussia had sanctioned the candidature of Prince Leopold of Hohenzollern for the Spanish Throne without informing France of it, or whether it extended to the threat of war, which was part of the communication made to the French Chambers at the same time? I ask, in the third place, whether the approbation of Her Majesty's Government—assuming that such approbation was given—extended to the further demands which were made by the French Government after the nomination of the hereditary Prince of Hohenzollern had been withdrawn; and I wish to ask why, if it was necessary in the view of the French Government that there should be a declaration to the effect that the Prince should never hereafter be a candidate for the Spanish Throne, that demand was not addressed to Spain, which was the Power supposed to be about to accept him? I think it would be more convenient if, instead of our asking for information on particular and incidental points, my noble Friend the Secretary of State for Foreign Affairs would make an explicit statement, in the manner I have already intimated; but I think that, at all events, the House and the public in general have a right to know the truth as to this negotiation—short as it was, and which has ended so disastrously—and what part was taken by our own Government. I have not myself the slightest doubt that my noble Friend did not approve anything which he ought not to have approved, and that his efforts were directed to the maintenance of peace in Europe; but it is desirable that such information should be communicated to the public through the medium of an official announcement on which they may rely. I will not add another word, for I do not wish to enter into any discussion as to whether France was justified or not in its demands, and Prussia in its refusal.

LORD CAIRNS: I also wish to put a Question to the noble Earl, which he, perhaps, may find it convenient to answer—namely, Whether, in the present state of affairs on the Continent, it is the intention of Her Majesty's Government to propose to Parliament any measure for the amendment of our law for

the enforcement of neutrality of our subjects in accordance with the recommendation of the Commission which sat a few years ago?

EARL GRANVILLE: My Lords, it may be more convenient if I first answer the Question which the noble and learned Lord has first put to me. The recommendation to which he refers was made all but unanimously by a Commission which was very ably constituted, and its object was to strengthen the power of the Secretary of State with regard to suspected violations of neutrality—and especially with regard to the fitting out of vessels of war in British ports. I am glad the noble and learned Lord has put the Question, for it implies his continued belief in the wisdom of that recommendation. My reply is, that it is my intention immediately to introduce a Bill for that purpose. With reference to the Questions of my noble Friend (Earl Russell) I would first remind him that in the private Notice which he was good enough to give me, he mentioned two Questions only, one of which he has omitted to put, and that he did not mention the three last. I can only say that, of course I am most desirous to withhold no information from the House. I stated the other day what was the beginning of our policy, and added that we had continued to adhere to it—promising to lay before your Lordships at the earliest opportunity all the Papers connected with this very sad event. That promise I hope to perform in the course of a few days. I am entirely in your Lordships' hands, but I cannot help thinking that it would be more convenient, and perhaps fairer to the Government, that your Lordships should have those Papers in your hands before I make a general statement. I should prefer to make such a statement when liable to be corrected by what your Lordships have been able to read, instead of asking you now to accept an *ex parte* statement. With regard to the apparent discrepancy between the statement of M. de Gramont and my statement in this House, I am happy to say I believe there is no difference as to the facts which I then stated. I believe that neither M. Ollivier, nor M. de Lavallette, nor M. de Gramont could in the slightest way impugn the perfect accuracy of what I said. I think, indeed, your Lordships will see that I said less than the Papers

warranted me in saying. I understand, however, that it is not as to facts that there is any difference, but that M. de Gramont has drawn an inference—which is always of course a matter of opinion. That inference, which I do not admit, he thinks he draws from the fact that most of the European Governments certainly exercised their influence in promoting some peaceful solution of the question. That, however, is a question which your Lordships will be better able to judge of when the Papers are before you; and, therefore, with your Lordships' permission, I will make no statement till that time, when it will be my duty to make the fullest statement possible. It is unfortunately too true that yesterday evening a declaration of war was forwarded from Paris to Berlin. That will necessitate an immediate proclamation of neutrality on our part. I am happy to say that a fortnight ago our relations with France, with Spain, and with Prussia were all of the most friendly character; and although during the last 10 days we have used the strongest language compatible with their dignity and our own self-respect, I am happy to state I believe that language has not affected those friendly relations up to this time. Whatever may be the habit of free discussion in this country, I am quite sure your Lordships will think that Her Majesty's Government are bound to maintain that attitude of dignified reserve which will best enable us to maintain our rights as neutrals, to show perfect impartiality and justice to both parties, and in the end, when these clouds give signs of passing away, to act with more usefulness whenever there is a chance of restoring peace.

#### ROYAL MINT.

##### MOTION FOR A SELECT COMMITTEE.

LORD KINNAIRD: I rise to move for a Select Committee to inquire into the past and present management of the Mint, and although I very much regret that it is the intention of the Government not to assent to my Motion, I feel bound, nevertheless, to call your Lordships' attention to the mismanagement of the Department to which my Motion refers. It will be in your Lordships' recollection that when the Coinage Bill was under consideration I moved for certain Returns connected with the gold coinage,



my object being to show that considerable loss occurred in the process of coining. Some of those Returns were granted, but others were refused on the plea that they were too voluminous to lay on your Lordships' Table. But I have made inquiries, and find that refusal was made because the officials of the Mint did not wish for any searching inquiry, and because the Returns would have exposed certain malpractices connected with the coinage. I also moved, when the Bill was in Committee, for certain Returns connected with the coinage of silver and the transactions between the Bank of England and the Mint. I was informed on that occasion that no record was kept of those transactions; I saw at the time that was a subterfuge, and that the officials knew these Returns would disclose certain malpractices at the Mint which they would prefer were not made public, for not only is a record of these transactions kept but the Returns could be granted with ease. I have found, however, that a Return has been presented to the House of Commons, which gives me the principal part of the information I desired to obtain by the Returns for which I moved. That Return, I have heard said, is not strictly correct; but it is a Return presented to Parliament, and as far as the figures to which I wish to refer are concerned I have reason to believe they must be correct. The noble Marquess (the Marquess of Lansdowne) who answered me on that occasion, admitted that as regards the gold there was great loss in coinage. He said that although the Government was not supposed to make money by the gold coinage, they made a considerable sum by the silver; and at another time (on the 24th March) he said that although there was a loss resulting from keeping the silver up to the proper standard, through wear and tear, yet on the manufacture there was a profit of something like £20,000 a year. Now, I am not going to hold the noble Marquess to any statement he made on that occasion, because not being himself connected with the Mint he must have been dependent on the officials; but I can assure him that statement is entirely erroneous. It is quite true that a profit was made in the Mint in the year 1859 of £27,032 on the coinage of silver, and this arose from the large quantity coined and the very small purchase of worn coin.

*Lord Kinnaird*

£647,064 worth of silver was coined in that year as against a yearly average of £341,018, and the purchase of worn coin amounted to only £8,096 as against the average of £14,633. But although this profit of £27,032 was made in this year, there was a loss of £5,373 during the next nine years. Now, my Lords, as regards the coinage of silver, there should be an uniform profit. The price of silver is 5s. 1d. or 5s. 1½d. per ounce, so that there should be a profit of 7½ per cent upon the silver coin. In 1868 the sum purchased was £312,252, which should have yielded a profit of £23,368, but the Return showed a loss of £10,896; so that, adding the loss on to what the profit should have been, we find that the Mint was £34,265 on the wrong side that year in its silver coinage; but inasmuch as the loss on the purchase of worn silver was £18,058 in that year, the net loss to the Mint through mismanagement was £16,207. Now, what became of that sum of money? How has it disappeared? The noble Lord admits gold was abstracted during the process of coining, and I say that the loss now arises from speculation. The Chancellor of the Exchequer himself contradicts the noble Lord, and admits that there is a loss on silver, for in the Estimates I find he asked the House of Commons to vote £1,000 to make good the loss on silver, in addition to £15,000 for the loss occasioned by repairing that coinage for the coming year, which has to be paid out of the pockets of the people instead of the Exchequer being replenished by the legitimate profit of £20,000. But the most extraordinary loss is in the coinage of copper. One ton of copper costs about £100, and when converted into coin it is worth £358, giving an actual gross profit of £258; yet I find the Chancellor of the Exchequer asked for £1,000 last year to make good the loss on the copper coinage. I have been rather amused to find the Chancellor of the Exchequer speaking slightly of the loss on the gold coinage, saying in all probability it went up the chimney. I think it is more likely to have gone up "the spout." Now, I find another item in the Estimates of £1,800 for the expenses of an inquiry into foreign mints. This represents the expenses of three gentlemen who are going to inquire into the method of coining adopted on the Conti-



ment; but, on inquiry, I find that nearly all the machinery in use in foreign mints went from this country, so that we could ascertain all we want to know about the practice in foreign mints, by making inquiries of certain engineering firms in this country. I may be told that the foreign mints may have improved on the machinery supplied to them, but even this may be ascertained without going to this enormous expense. Moreover, most of the coining on the Continent is done by contract, and it is not likely that contractors will give a Government Commissioner, who is competing with them by advertisement, much information as to the way in which they carry on their work; so that altogether this £1,800 will be completely thrown away. And who are the gentlemen commissioned to make this inquiry? The Deputy Master is one of them—a most excellent, financial man; but, unfortunately, he knows nothing of the practical part of the business, and will gain very little by his trip. Then there is Mr. Roberts, lately appointed chemist to the Mint; he is to go, but his qualifications for the post are very doubtful. Ever since the Mint was taken out of the hands of those contractors who were called the “moneyers,” the appointments there have formed one uniform system of jobbery. The appointments were regarded as political prizes, and so distributed; but an outcry was raised, and matters were smoothed over by appointing two scientific men successively to the office of Master of the Mint. Neither of them, however, knew anything of the process of manufacture, and their management was signalized by increased losses. Then we were told this would all be done away with, but now we have another nice little job perpetrated by the appointment of Mr. Roberts, a gentleman of no very great talent, to the office of chemist. Well, Mr. Roberts is to go on this Commission of Inquiry, and the third gentleman is Mr. Napier, one qualified in every respect for the duty, but for all that the very last man who should have been sent. In 1858 a sum of £1,100 was set apart for the purchase of a filing machine in accordance with an estimate sent in by Mr. Napier for the purpose; but, before the order was executed, an officer in the Mint made a machine answering every purpose which cost only £60, and nobody knows what became of this £1,100. I believe this Commission

is going to Spain, but Mr. Napier manufactured the machinery in use there, so he is going to Spain to see how his own machines work, and he is to receive £2,000 for doing it. Perhaps, however, as the war has broken out the trip will be postponed. Now, my Lords, what I say I am prepared to substantiate before a Committee, and I challenge contradiction. That an inquiry is needed even at this late period of the Session is patent, for the House of Commons has only recently voted no less than £18,000 to make up the losses in the Mint. I have been told that Mr. Fremantle and Mr. Rivers Wilson have made a report on the subject of some of these complaints, and have suggested improvements; but these improvements would have no effect upon the working of the establishment, and would not touch the main defects in the system. One of the alterations made in consequence of that report was a revision of the scale of wages. Formerly the workmen had a retaining fee varying from 6s. to 10s. per week when unemployed, and a certain wage beside when at work. But the pay was very small, and it was thought this might lead to speculation. The scale has accordingly been revised by the payment of £1 per week as retaining fee, but the revision is calculated to give the men a little less on the whole, a result to be expected when the arrangement was made by so skilful a financier as the Chancellor of the Exchequer, and the country saves £100 a year out of the workmen's wages. But the most extraordinary part of the revision is to come; and this affords another instance with the sugar duties, hawkers' licences, and the gun tax, of the readiness with which the Chancellor of the Exchequer jumps to conclusions, without being at the trouble to inform himself upon the subject in hand. The workmen are by this new scale to receive less when coining gold than when coining silver, although the temptation to speculation is greater; so that at the time when their honesty should be secured by good payment, they are to be treated with a niggardly hand, and who can be surprised if they help themselves? The noble Marquess says there has been only one case of dismissal for speculation; but, if he inquires further, he will find there have been 12. No prosecution has followed these dismissals

nor even an inquiry. Prosecutions would not be palatable to the Mint authorities, because they would expose the system. Now, I can assure your Lordships, that these statements I have made are true in every respect, and I challenge contradiction; and I trust the Government will think the facts really demand a searching inquiry. More than a year since, I brought the subject before the Chancellor of the Exchequer, but it was pooh-poohed, and I was told that a private inquiry would be made: but no inquiry has been made, and the system remains unamended. I therefore move for a Select Committee, to inquire into the past and present management of the Mint.

*Moved,* That a Select Committee be appointed to inquire into the past and present management of Her Majesty's Royal Mint.—(*The Lord Rossie.*)

THE MARQUESS OF LANSDOWNE: I regret that it is my duty to decline to accede to the Motion of the noble Lord, but I feel sure your Lordships will admit, when I have made a brief statement of the facts of the case, that the Government is warranted in refusing the Committee. I must admit that two cases of peculation have occurred at the Mint; but the persons concerned were dismissed, and there has been no reason to suspect a recurrence of the practice; I am sure, therefore, the noble Lord is under a misapprehension, when he says there have been 12 cases of dismissal for peculation during the last few years. As regards the charge of wasteful management, I must repeat the statement I made on a previous occasion. The noble Lord, I fear, confuses two things—namely, the loss occurring from the necessity of keeping the silver coinage up to the proper standard, and the gain which accrues from the coining; and, on the whole, there is a distinct gain, although I may, on a previous occasion, have overstated the amount. There is, notwithstanding the information of which the noble Lord appears to be possessed, a gain of £5,000 a year on the silver coinage. The amount of waste on the gold coinage has, within the last few years, been extremely moderate: it is, at present, 1s. per £100; and an eminent firm of refiners in the City have given an opinion that this is very satisfactory. So much for the past. With regard to the present, I must say that as the Department has recently been re-

organized, it would be hardly fair, before it had got into full working order, to institute an inquiry. The staff has been reduced, thus effecting a saving on this year's Estimates of £5,000; the system of the payment of wages has been altered, resulting in a small saving and in a marked effect on the staff; and the melting and coining departments have been united, avoiding that apparent confusion between the accounts of the two departments, which has, in some respects, misled the noble Lord. Lastly, I come to the Commission of Inquiry, which has been travelling on the Continent. Now, if the machines in use on the Continent have been mostly made at Birmingham, much may be learnt, as to their application and the character of the metals used, by the proposed inquiry. As regards the members of that Commission, I must say the noble Lord spoke in scarcely justifiable terms of Mr. Roberts, who is a very eminent chemist, and has proved his capabilities by devising a system for depriving gold of the obnoxious properties on which the noble Lord recently commented. The noble Lord did not fail to admit that Mr. Napier was eminently qualified for a post on the Commission; and, as regards the Deputy Master, he has exhibited great abilities in discharging the duties of his office, and I do not think the noble Lord has said a single word to show he has forfeited our good opinion. I have only a single word to add; and the noble Lord must forgive me if I speak candidly. The noble Lord will recognize this book which I hold in my hand; it contains the larger portion of the charges made by the noble Lord; and I ask him whether it is good that he should endeavour to throw discredit on a recently re-organized Department upon the basis of a pamphlet written by a discharged official of that Department?

THE DUKE OF ARGYLL: I rise in consequence mainly of a remark made by the noble Lord on a previous occasion, which has occasioned considerable pain to the relatives of a late very distinguished public servant. As a personal friend of Professor Graham, the late Master of the Mint, a man of great eminence in all scientific matters, I feel it my duty to notice an imputation on his fidelity made by the noble Lord on a former occasion. On inquiry at the Trea-



sury, where there was no interest in defending the memory of a dead man, I have found that there was never a shadow of suspicion on Professor Graham's perfect integrity. There have been, no doubt, small cases of speculation, as, I take it, there always must be in a Department dealing with such valuable materials, and where many workmen are engaged; but they are detected as promptly as possible. I am afraid the noble Lord has been influenced by a clerk who was dismissed, or ceased to be employed, during Professor Graham's Mastership.

LORD KINNAIRD: I am quite ready, as far as Professor Graham is concerned, to acquit him individually and personally from anything improper; all I have to say with regard to Professor Graham is that he was not a fit person for the office, as he continued the jobbery which he found in existence and which had prevailed there ever since the Mint was a Government office. He appointed his own brother, a calico printer, to an office for which he was entirely unfit not only on the ground of general incompetence, but from his well-known habits of intemperance. I am quite ready to admit that the bulk of the information I possess upon the subject is obtained from Mr. Ansell, who was for many years employed by the Master of the Mint, and who, as the Returns show, succeeded in making even the gold coinage a paying department, as it should be, instead of a losing department, as it is; but my statements are also founded on, and confirmed by, Returns presented to both Houses of Parliament. Mr. Ansell also put a stop to speculation, and made himself very unpopular among the officials in consequence. Mr. Ansell gave up very valuable appointments in order to fulfil his duties at the Mint, under the repeated promise of promotion when a vacancy should occur; and I am afraid I am responsible for what is called his dismissal, for, when I applied to the late Prime Minister for his promotion, Mr. Graham, who, in common with the other officials, feared an exposure from Mr. Ansell's promotion, wrote him a letter of dismissal as follows:—

“Royal Mint, Sept. 28, 1868.

“Dear Sir,—I regret to have to inform you that it is not in my power to continue your present engagement as an extra officer in the Coining Department, while the Mint is only so partially occupied as it has been for some time past. Your

assistance will not, therefore, be required beyond the 31st of December next.—I remain, faithfully yours,

“G. F. Ansell, Esq.”

“THOMAS GRAHAM.

After this dismissal the profit ceased and the loss recurred. I accordingly applied to the Prime Minister and the Chancellor of the Exchequer for an inquiry; but I was treated rather summarily, and the Chancellor of the Exchequer said he deprecated any inquiry. Only two or three months, however, after giving him that notice, and while he was still engaged in the Mint, Mr. Graham warmly recommended him for the office of Gas Inspector to the Corporation of London, stating that he was a well-informed practical chemist, and “a man of tried integrity.” Within three months after the Master of the Mint dismissed this officer—who, as the Returns will show, had saved the country some thousands—he writes this testimonial—

“I beg to express the very favourable opinion which I entertain of Mr. G. F. Ansell's qualifications for the office of Inspector of Gas to the Corporation of London. Mr. Ansell is a well-informed practical chemist, and has given much attention for several years to gas. He is the inventor of an ingenious instrument for indicating the presence of fire-damp in the atmosphere of mines, which is much admired by scientific and practical men. Mr. Ansell is also a man of tried integrity and great energy. From what I have seen of him at the Mint I would say that he would devote himself entirely and conscientiously to the work of the new office, if appointed.”

THE DUKE OF ARGYLL: Who signed that letter?

LORD KINNAIRD: Thomas Graham. And, notwithstanding this high testimony to the value of his services, this man was dismissed because he knew too much of what was going on in the Mint. I challenge the Mint authorities to prove a single statement in his book to be false. If they can, why do they not contradict him? They dare not. Mr. Ansell's book has been some months before the public, and if the Mint could have challenged his statements, which are very damaging, they would certainly have done so. I challenge contradiction. I am very glad the noble Lord has given me the opportunity of making this statement with regard to Mr. Graham, a talented man, but quite unable to cope with the clever men about him, unaided by Mr. Ansell. Now that Mr. Ansell has been dismissed, you see what is the result. The noble Lord has told your



Lordships of reforms which have been made at the Mint; but I can assure him I expect little good to result from those reforms, for the very men who then had charge of these departments, and who permitted the speculations and mismanagement which Mr. Ansell stopped, are the men who are now promoted to the chief management of the operative departments of the Mint. I hope, therefore, the matter will not be allowed to drop, for I am sure there is no Department in this or any other country more corrupt than the Mint.

THE MARQUESS OF LANSDOWN rose to explain. In the Table published by Mr. Ansell, the operation of melting appeared to have been left out of sight. The coining operations had been put forward, but the losing operations were kept behind. The statement in the memorial, in respect to the alleged promise made to Mr. Ansell, was absolutely without foundation.

Motion (by Leave of the House) *withdrawn*.

#### LIFE ASSURANCE COMPANIES BILL.

(*The Duke of Richmond.*)

(NO. 190.) SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF RICHMOND, in moving that the Bill be now read the second time, said, that the measure originated in representations made to him when President of the Board of Trade. His right hon. Friend (Mr. Cave), then Vice President, undertook to deal with the question; but a change of Government caused the measure to be in abeyance for some time, and when, subsequently, it passed through some stages in the House of Commons, Mr. Cave's illness necessitated its abandonment. He believed the present President of the Board of Trade was favourable to legislation on the subject, though, owing to his prolonged ill-health, he was not committed to any of the details of the Bill; and the Parliamentary Secretary of the Board (Mr. Shaw Lefevre), had rendered material assistance to Mr. Cave in its preparation—especially on some of the legal points which it involved. Admitting that Government should not interfere too much with private undertakings, he (the Duke of Richmond) did not

*Lord Kinnaird*

think the Bill went further in this direction than the Regulation of Railways Bill, passed during his presidency of the Board of Trade, which required railway companies to render accounts in a uniform manner, and to give shareholders the fullest information of their business transactions, which, he believed, had worked extremely well. Up to this time policyholders in assurance companies had had no voice, and little or no information, as to matters which deeply affected them. They represented something like £400,000,000, or half the amount of the National Debt, and no class of sufferers from the commercial disasters of the last few years was more to be pitied than policyholders. One company was transferred to another behind their backs; and he might mention as an instance that the Tontine Office was transferred to another office, the latter to the English and Irish Church, that to the British Nation, and that again to the European. The policyholder must either submit to such transfers or sacrifice all the money he had put by for his family; and one of the objects of the Bill was to put him on the same footing as the shareholder, by giving him a voice in questions of amalgamation or the transfer of business. The Bill also provided that life accounts should be kept separate from all other accounts, and all receipts in respect of life assurance carried to a separate fund, so that greater security would be afforded to the policyholder. It was further provided that statements of accounts should be prepared and laid before Parliament every year. Upon that point Prussia was so careful that she required insurance companies to obtain a concession from the Government before granting any life policies; they were then bound to show the amount of their receipts and expenditure; while the Government reserved to itself the right of withdrawing the concession should it any time deem the company to be in an unsatisfactory condition. Another provision of the Bill was that every company should, before commencing business, make a deposit of £20,000, to show that it was a *bond fide* undertaking. The result of the Bill, if passed into law, would be that small bubble companies would not come into existence, while strong companies would be much better managed. The latter part of the Bill would place the policyholders in the same

position before the Court, with respect to the winding-up of the company, as that in which the shareholders stood now. The result of its operation on the whole would, he felt satisfied, be to affect most favourably the interests of those provident people who sought to make provision for their families by giving a fresh stimulus in that direction, and thus tending to increase the welfare and prosperity of the country, which the fraudulent proceedings of the last few years had done so much to check.

*Moved*, "That the Bill be now read 2<sup>a</sup>."—(*The Duke of Richmond*.)

THE EARL OF KIMBERLEY was understood to say that the Government approved of the general provisions of the Bill.

*Motion agreed to*: Bill read 2<sup>a</sup> accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

#### BRITISH COLUMBIA BILL—(No. 123.)

(*The Earl of Kimberley*.)

##### SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said, that its object was to make further provision for the government of the Colony of British Columbia, which was one of the youngest of our Colonies, and which was somewhat peculiarly situated, owing to the nature of its population, who were for the most part engaged in gold digging. It would be remembered that in 1866 Vancouver Island was united to British Columbia, and made subject to the Legislature of that Colony, which was increased in number, so as to provide for the representation of Vancouver Island. The Council of the Colony at present consisted of five Government officers, of eight councillors nominated by the Governor, and of nine others, who were considered unofficial members, who also had to be nominated by the Governor, but who, practically, were elected by the colonists. The practice, however, was not in accordance with the law; and while Her Majesty's Ministers did not think the Colony was in a position for the establishment of what was called re-

sponsible government, they thought it was desirable that she should have a new Constitution, enabling the inhabitants to take a large part in the transaction of their own affairs. It was proposed, therefore, by the Bill that Her Majesty should, by means of an Order in Council, constitute a Legislature, consisting of the Governor and a Legislative Council—in fact, should give to the Colony a new Constitution. The new Council should consist of six Members appointed by the Governor, and nine to be elected by the people. Her Majesty was also empowered to delegate certain powers to the Governor, enabling him, by his proclamation, to determine the qualification of electors and elective members, to divide the Colony into convenient elective districts, to appoint returning officers, issue writs, to take the poll, and determine the validity of all disputed returns; and, generally, to see to the orderly conduct of the elections.

*Moved*, "That the Bill be now read 2<sup>a</sup>."—(*The Earl of Kimberley*.)

LORD LYVEDEN pointed out that the Bill would commit entirely to the hands of the Governor the power of controlling every step in the formation of the representative assembly, from determining the franchise of the electors, to the validity of the return of the elected. That he regarded as a great power to intrust to a man who was not in the highest order of colonial Governors. British Columbia was a most important Colony, and it would, in his opinion, have been more constitutional and statesmanlike to leave these details to be worked out in the same manner as had been done in previous cases, instead of deviating from the usual practice by putting them entirely under the control of the Governor.

THE EARL OF KIMBERLEY explained that the change proposed by the Bill was by no means a large one. It would simply legalize a state of things which already existed in practice.

*Motion agreed to*; Bill read 2<sup>a</sup> accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.



## MARRIED WOMEN'S PROPERTY BILL.

*(The Lord Cairns.)*

(NO. 125.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD CAIRNS said, that after the Bill had been read the second time, their Lordships had referred the Bill to the consideration of a Select Committee, which, after examining its provisions with great zeal and diligence, had reported it with considerable Amendments to the House. These Amendments altered the Bill so much that he thought it would be a convenience to their Lordships if he briefly explained them. First of all, then, it was provided that the earnings of a married woman, whether they were wages or the result of trade, or of literary, artistic, or scientific skill, should be treated as though they were property settled to her separate use. The Bill next proceeded to deal with the mode of protecting investments which had been made by married women, whether by means of their earnings or otherwise. Under the existing law a husband might, after giving proper notice, withdraw from an ordinary savings-bank, or a Post Office savings-bank, any deposits placed there by his wife. The Bill, however, as amended, provided that all deposits made in the name of a married woman, or of a woman who might marry after she had made such deposit, should be deemed her separate property, as though she were an unmarried woman. The 3rd and 4th clauses provided that where a married woman, or any woman about to be married and her intended husband, might apply to the Governor of the Bank, or to the directors of any joint-stock company, that any sum not less than £20 of the public funds deposited, or about to be so, and any shares in the company, might be held by them as the separate property of the wife, and the dividends paid to her. This provision was greatly needed, because women who had saved up £100 or so were very unwilling to ask their future husbands to sign any documents with reference to it. The noble Earl opposite (the Earl of Morley) had given notice of an additional clause dealing with shares in friendly societies in the same way; and this would improve the Bill still further. To all these clauses a Proviso was attached that if any

investments were made by a wife with the moneys of her husband, and without his consent, application might be made to the Court in a very summary way; and it was likewise provided that nothing contained in the Bill should authorize the making of any investment in fraud of creditors. With regard to personal property coming to a married woman as next of kin to a person dying intestate, it was provided that it should belong to her for her separate use. In like manner she would have the separate use of land coming to her as heir-at-law to an intestate person. The 9th clause would, in his opinion, prove highly beneficial. At present, if a husband affected a policy of insurance in his own name, intending it as a provision for his family, it became after his decease a part of his general estate and was available to pay his debts. Indeed, as it was one of the assets most easily got hold of, it was usually applied to that purpose. This Bill, however, provided that if a married woman effected an insurance on her own life or the life of her husband, expressing on the face of it that it was intended for her own separate use and benefit, it should enure accordingly. The next provision was a very important one; if a husband effected a policy of insurance which expressed upon the face of it that it was to be for the benefit of his wife and children, it should be deemed a trust for the benefit of the wife for her separate use, or of the wife and children, according to the interest so expressed, and should not be liable to the claims of his creditors; but if the Court should find that the policy had been effected and the premiums paid by the husband with intent to defraud his creditors, they would be entitled to receive out of the sum secured an amount equal to the premiums paid. After these explanations he trusted their Lordships would have no difficulty in going into Committee on the Bill.

LORD PENZANCE said, he thought the Bill as it now stood to be of a practical, workable character. It would enable married women to enjoy the benefit of any money they might have earned by their industry or talents. Even those who were adverse to some portions of the Bill agreed that this particular object ought to be carried out. But when the Bill came up from the other House of Parliament it was based on a very much



wider principle, emanating from an altogether different set of ideas. The Bill then proposed to treat a married woman in all respects as an unmarried one as far as property was concerned. Indeed, as far as the utter separation of property could bring about that result, it was a Bill to separate husband and wife. He would not now enter on a discussion as to whether that was desirable or not; but he might be allowed to remark that the opinions of those who advocated the entire separation of husband and wife as regards property had not been accepted by the community. He opposed the Bill when it was introduced into the House, but the noble and learned Lord (Lord Cairns) had now in reality framed a fresh measure.

THE EARL OF SHAFTESBURY said, he believed the Bill would prove one of the greatest social blessings ever brought about by legislation. Women were now closely competing with men as producers; he believed there were as many as 800,000 women employed at wages in England, and putting their earnings down so low as at £20 each, their total earnings would be £16,000,000 a year. Surely that was a sum which should be protected from the violence and rapacity of husbands. But he wished the Bill had also secured to the woman any savings she might have made from her earnings before marriage. One clause in the Bill secured these savings if invested in the savings-banks; that was a good provision as regarded money, because it would encourage providence; but money was not the only property a woman about to be married would be possessed of. How many young women possessed articles of value, such as jewellery and clothes, or had invested their savings in a sewing-machine or a mangle?—yet these were not secured to them by the Bill, and would become the property of the husband immediately after marriage.

House in Committee.

Clause 1 (Earnings of married women to be deemed their own property).

LORD LYTTTELTON suggested that the Bill be made retrospective in its action.

LORD CAIRNS said, that would be in violation of the principles which guided the legislation in such cases as this. To

make this Bill retrospective would be to take from many men what they now believed to be their property. The property of a married woman could not be effectually secured without the intervention of trustees, and the Bill made the Bank or the managers of savings-banks and joint-stock companies trustees as to such property as might be invested; but it was impracticable to protect a woman's earnings before marriage unless they had been invested.

THE LORD CHANCELLOR said, the Bill had been greatly improved in the Select Committee, and, he believed, when its provisions came to be understood, women would be quick to take advantage of it. As to particular chattels bought by a woman before marriage out of her own property, it had long been settled that they continued her separate property; and she might protect any property other than that provided for in the Bill by appointing a trustee.

Clause agreed to.

Clause 2 (Deposits in savings-bank by a married woman to be deemed her separate property).

LORD HOUGHTON said, it seemed to him that this and the next two clauses were founded on a total absence of principle. Married women were compelled by them to invest their money in one of four different ways—as a deposit in a savings-bank, as a Government annuity, in the funds, or in a joint-stock company, because they provided that if they were not so invested they should not have those savings protected by law for their separate use. The noble and learned Lord (the Lord Chancellor) said they could appoint a trustee; but anyone who knew anything of the habits of the women whom it was proposed by this Bill to serve would know that such a thing as a trustee never entered their heads. What was needed was some simple process by which property of all kinds acquired by a married woman could be secured to her separate use. Why could it not be provided that any property a woman had should remain hers, unless the husband could prove that it belonged to him? He knew of an instance in which a widow married, bringing to her second husband the property of her first, and this second husband died, having willed the property away from the woman and her children,

He hoped that on the Report the question might be placed on some sound principle.

LORD CAIRNS said, he could not admit that the clause was devoid of principle. The principle of the clause was that of carrying into the humbler ranks of life that protection to women that already existed in the higher ranks; that was, that property having been placed in some tangible form, should, through the intervention of trustees, be protected. It was impossible to secure property to the woman unless by pointing out how it was to be invested.

Clause agreed to.

Clause 3 (As to married woman's property in funds) agreed to.

Clause 4 (As to married woman's property in joint-stock company).

THE MARQUESS OF SALISBURY pointed out that whereas this clause provided that only paid-up shares might be conveyed to the separate use of a married woman, it made no similar provision in the event of the shares not being fully paid up. In the event of the shares, as far as they were paid up, becoming the sole property of the wife, to whom were the directors of a company to look for the payment of the remaining calls upon such shares—the husband being protected by another clause in the Bill from liability for his wife's debts?

LORD CAIRNS explained that the husband would not be liable for calls upon the shares not fully paid up, which had belonged to his wife before her marriage, until he committed some act that rendered him liable at law. He would, however, introduce an Amendment to meet the case referred to by the noble Marquess.

EARL POWIS inquired whether a married woman would have a right to vote at meetings of the company in respect of her shares?

LORD CAIRNS said, she would have a right to vote if the shares stood upon the register in her name.

Clause agreed to.

THE EARL OF MORLEY moved the following new clause after Clause 4:—

"Any married woman, or any woman about to be married and her intended husband, may apply, in writing, to the committee of management of any industrial and provident society, or to the trustees of any friendly society, benefit building society, or loan society, duly registered, certified,

*Lord Houghton*

or enrolled under the Acts relating to such societies respectively, that any share, benefit, debenture right or claim whatsoever in, to, or upon the funds of such society to which the persons or persons so applying is or are entitled may be entered in the books of the society in the name of the woman as a married woman, entitled to her separate use; and it shall be the duty of such committee or trustees to cause the same to be so entered, and thereupon such share, benefit, debenture, right or claim shall be deemed to be the separate property of such woman, and shall be transferable and payable with all dividends and profits thereon as if she were an unmarried woman; provided, that if any such share, benefit, debenture, right, or claim has been obtained by a married woman by means of moneys of her husband without his consent, the Court may upon an application under section eight of this Act order the same and the dividends and profits thereon, or any part thereof, to be transferred and paid to the husband."

Clause agreed to.

Clause 5 (Deposit of moneys in fraud of creditors invalid), agreed to.

Clause 6 (Personal property coming to a married woman to be her own), agreed to.

Clause 7 (Freehold property coming to a married woman to be her own), agreed to.

LORD HOUGHTON moved to insert the following clause:—

"If any married woman after the passing of this Act become entitled to a sum of money not exceeding two hundred pounds as legatee under a will, it shall form part of her separate estate, unless the County Court Judge of the district in which she lives shall, upon the application of her husband, otherwise order; and the order of the said judge shall be binding and conclusive on the said married woman and her husband as to all or any part of the said sum so bequeathed."

The Court of Chancery was in the habit of apportioning all legacies to the wife above £200 between the husband and wife. He thought the Bill should do the same thing for the poor woman that the Court of Chancery did for the rich woman.

LORD PENZANCE said, the noble Lord was about to proceed further than the Court of Chancery, because instead of apportioning the legacy between the husband and the wife, he proposed to give it altogether to the latter.

THE LORD CHANCELLOR said, he thought the point deserved attention and hoped the noble and learned Lord would consider it.

Amendment (by Leave of the Committee) withdrawn.

Clause agreed to.

Remaining clauses agreed to.

An Amendment made by inserting the 1st November, 1870, instead of the 1st January, 1871 as the date when the Act shall come into operation.

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 216.)

# PRAYER-BOOK (TABLES OF LESSONS)

BILL—(No. 202.)

(*The Lord Chancellor*)

THIRD READING.

Bill read 3<sup>a</sup> (according to Order).

THE EARL OF HARROWBY said, that the professed object of this Bill was to carry into effect the recommendations of the Royal Commission sanctioned by Convocation. Anything relating to public worship ought not to be regulated by Parliament merely, and probably in future such changes would be made in the same way as the changes now before the House had been made. But an Amendment had been introduced in Committee which was not in accordance with those recommendations — on the contrary, it was opposed to them. In the second part of the Bill, as it now stood, there was this passage—

“Upon special occasions, to be approved by the Ordinary, other Lessons may, with his consent, be substituted for those which are appointed in the Table of Lessons.”

The word “special” had been introduced in Committee. Now, this was completely contrary to a decision come to by the Commission after full deliberation, for on a division the recommendation as it originally appeared in the Bill was carried by 14 votes against 10. He thought that such a change should not have been made without any notice whatever. Indeed, he must protest against the introduction of any changes in the recommendations of the Commission, as it would serve as a precedent for introducing changes in Parliament next year, when the other and more important recommendations of the Commission would probably come under consideration. He asked their Lordships to reinstate the original wording of this part of the Bill by striking out the word “special.”

THE BISHOP OF GLOUCESTER AND BRISTOL said, that the introduction of the word had been made in Committee by

the Archbishop of York, on the recommendation of several of the clergy, who thought it would conduce to the more effective working of the Bill; and he himself had concurred with his most rev. Friend in the advisability of the Amendment; but at the time he forgot the discussion and the decision on the subject by the Commissioners; but even now he must say that he thought it would be better for the Ordinary that the word “special” did precede “occasions.” The real point had been whether or not they should leave it to the discretion of a conscientious clergyman, who objected to the reading of Lessons from the Apocrypha, to use other Lessons in their stead. The danger was that if the word were omitted, the clergy would not deal fairly with the Bill. He would speak frankly as far as one man could speak for another. When he said that when clergymen asked leave to omit the Apocrypha, on the ground that the feelings of their people were much opposed to it, he should consider that a special case. After all, it only referred to one or two Lessons in the course of a fortnight in the year. He thought, therefore, that the word might be retained.

THE LORD CHANCELLOR said, that when he recommended their Lordships to agree to this Amendment, he was not aware that the matter had been discussed by the Royal Commissioners, and that they had agreed *nem. con.* to omit the words. The Archbishop of York, who had also been in favour of the words, was also ignorant of these circumstances; and therefore he thought that the words ought to be struck out.

EARL STANHOPE was understood to be in favour also of omitting the word.

Word “special” *struck out*.

Bill *passed*, and sent to the Commons.

# JUDICIAL COMMITTEE BILL—(No. 212.)

(*The Lord Chancellor*.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, the measure was introduced in fulfilment of an obligation into which he entered a short time since, when his noble and learned Friend Lord West-



bury brought before their Lordships' consideration the fact that there was a very heavy arrear of appeals from India, which could not be heard by the Judicial Committee of Privy Council, owing in a great degree to the present constitution of that Court, and owing also to some causes which existed in India. He had himself stated that one of the difficulties connected with the constitution of the Judicial Committee was that Judges of the Superior Courts were made *ipso facto* members of the Judicial Committee by the Act establishing that tribunal; but that, with regard to all other persons, there was only a power of appointing two persons to sit at one time as members of the Judicial Committee. The choice being thus limited, it was found that the members actually holding other judicial offices had little time to attend to the business of the Judicial Committee. The Chiefs of the Courts of Common Law could hardly on any occasion attend; the Master of the Rolls attended from time to time, and also one or other, and sometimes both, of the Lords Justices of Appeal. The retired Judges who were members likewise attended. There was a great advantage in putting on the Committee eminent members of the Bar, who, having retired from practice, were yet willing to devote themselves to this duty. At the present time nobody was under any obligation other than a moral one to attend the sittings of the Judicial Committee; and it was very difficult, under the circumstances he had mentioned, to maintain the Court as a tribunal sitting regularly *de die in diem*, like the other tribunals of the country during Term. The object of the present Bill, therefore, was twofold—firstly, to increase the number of persons who might be placed by Her Majesty on the Judicial Committee; and, secondly, to secure a special payment to a certain number of members—namely, four—of the Committee, in order that those who received such special payment, independently of any pension to which they might be entitled, should be held bound to attend the business of the Judicial Committee, as all other Judges were bound to attend the Courts to which they were attached. To effect that object, what the Bill proposed was this—to authorize Her Majesty, after the passing of the Act, by warrant under Her sign manual, to appoint two persons

*The Lord Chancellor*

who had filled the office of Judge of any of the High Courts of Judicature in India, or the office of Legal Member on the Council of the Governor General of India, to be members of the Judicial Committee; and it was proposed that there should be paid to each of those persons, during the time he serves as member of the Committee, a salary not exceeding £1,000 a year in addition to their pensions. In the case of the Chief Judge of the High Court of Calcutta retiring, he received a pension of, he thought, £2,000; and the Legal Member of the Council of the Governor General also had a considerable pension on his retirement. In addition to their pensions, those persons, on being appointed members of the Judicial Committee, would each receive £1,000 per annum; by which means he thought there would be no difficulty in securing their regular attendance, except during the vacations, for the despatch of appeals coming from India. It was proposed also to take power to appoint as members of the Committee any of the following persons, not exceeding two—that was to say, any person who had held the office of Judge of the Supreme Court of any possession of Her Majesty other than India, and any person being a barrister of not less than 15 years' standing; and each of them would be paid an annual sum, including any pension to which he may be entitled, so that the whole shall not exceed £2,500 a year. In that way it was thought they might place on the Judicial Committee members of the Bar who, having attained eminence and distinction in their profession, might be desirous of retiring to the quiet and much more dignified position of holding an office in which they might be eminently useful. He thought there would be no difficulty in finding men of that character in whom the public would have perfect confidence. The Bill further authorized the payment to any member of the Council other than those holding judicial office, or those appointed under this Act, an annual sum not exceeding £500. This especially referred to any of the retired Judges who might be members of the Judicial Committee. A Judge desirous of retiring from the Common Law Courts or the Court of Chancery had a pension allowed him. If he retired from the Common Law Courts he saved the expenses of the circuits, or about £500, and he would also have the £500

now proposed to give him, making a difference to him of £1,000 a year altogether, in addition to the pension he actually received. In that manner it was thought they might obtain for the Judicial Committee members who would undertake the positive duty of regularly attending its sittings in the mode he had described. Lastly, the Bill contained a clause enabling the Judicial Committee to sit, if it thought fit, in two sections. That, he hoped, would have the effect of disposing of the present arrear of appeals from India, because they might place in each of those sections—having thus secured members bound to attend—a Judge from India, and also another Judge under an obligation to attend from the two members to be appointed in addition to the present Judicial Committee. And they would only want in each case a third person to preside, who might be found among the ordinary members of the Judicial Committee, all of whom now attended from time to time, but most of whom did not think it reasonable that they should be under the actual necessity of attending regularly from week to week and from day to day in the way in which the ordinary tribunals sat. There had been intimated to him some objections with reference to the appointment in the first instance of the Judges in any Court in India, and it had been suggested that in some Courts there were native Judges whom it would not be desirable to appoint as members of the Judicial Committee. It was not, however, very probable that they would be Privy Councillors, and none could be appointed who were not; but, if it was thought desirable, there could be no objection to confine the appointment to the Chief Justice in each Court; while, with reference to the colonial Judges, the appointment might be limited to the Chief Justice of the Supreme Court of any Colony. Although at present there was not an instance of any person being made a Privy Councillor who had come from any part of Her Majesty's dominions other than India, yet he had known at least one Canadian Judge who would have been a very suitable person for such a position; and he could not but think that, as the importance of colonial tribunals increased, there might be found coming from the Cape, from Canada, or from Australia, some who

would be worthy of being placed on the Judicial Committee. Under these circumstances, he trusted that their Lordships would be disposed to read the Bill a second time.

*Moved*, "That the Bill be now read 2<sup>d</sup>."—(*The Lord Chancellor*.)

LORD CAIRNS said, that although from the state of the House it did not seem that much interest was taken in this Bill, yet it was a subject of great public importance, on which he desired to make some observations. With regard to the 2nd clause, which gave power to appoint two Privy Councillors who had held the office of Judge in any High Court of Judicature in India, there ought to be a clear and positive definition on the face of the Bill as to what persons could be appointed and what offices they must have held—because owing to the constitution of the High Court of Bengal there might be appointed persons who would be quite unsuitable for the Judicial Committee, and who had never had a case argued before them. The practice had been to treat the Chief Justice of Bengal as a person who was *ex officio* qualified to sit on the Judicial Committee, and he thought it would be desirable to continue that practice. There were now three ex-Chief Justices of Bengal, two of whom had rendered very efficient service, and he regretted that power was not taken by the Bill to appoint all three—the amount of remuneration, if it was limited, being divided among them. By the 3rd clause it was proposed to appoint on the Judicial Committee any person who had held the office of Judge in the Supreme Court of any country other than India, and the consequences might be the appointment of the Chief Justices of Sierra Leone, the Straits Settlements, Gambia, the Mauritius, or any of the Colonies whose Chief Justices were of a different stamp from those whom it was desirable to appoint on the Judicial Committee. To the 4th clause there was a still more serious objection, its object being to give to Judges who were entitled to a retiring pension a sum of £500 a year, in addition to their pension for their services on the Judicial Committee. There was in this country an ample scale of retiring pensions for Judges, and attached to the receipt of those pensions there was always considered to be the obligation—no doubt



an imperfect one—to give some portion of their time to the transaction of the judicial business of the country. As soon, however, as there was introduced a system of picking and choosing and bribing a retired Judge with £500 a year extra, an end was put to the honourable understanding which now prevailed; for it was utterly impossible to maintain that obligation when a payment was made to some persons for their attendance, and he hoped his noble and learned Friend would consider that point. He also trusted that a reconsideration would be given to the proposal to divide the Judicial Committee into two portions, a step which he held to be quite unnecessary and which might lead to the effect of their decisions being weakened.

THE LORD CHANCELLOR said, the division was not to be permanent.

LORD CAIRNS said, that at any rate for some time there would be two divisions by whom decisions would be given. At a further stage of this Bill, when he hoped it would attract more interest, he should invite the attention of their Lordships to the points he had enumerated.

THE LORD CHANCELLOR thought his noble and learned Friend had misunderstood the effect of the last clause. It was not intended that there should be two permanent divisions; but changes might be made from time to time, so long as it was necessary to have two divisions, and any number of combinations might be made of the members of the Judicial Committee. Comment had always been made on the decisions of the Committee, and, he feared, it would continue to be made.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday next.

House adjourned at Eight o'clock,  
till To-morrow, a quarter  
before Five o'clock.

## HOUSE OF COMMONS,

Monday, 18th July, 1870.

MINUTES.] — SELECT COMMITTEE — *Report* — Poor Law (Scotland) [No. 357]; Public Accounts Committee [No. 358]; Registration of Voters in Counties (England and Wales) [No. 360].

Lord Cairns

SUPPLY—considered in Committee—ARMY ESTIMATES.

Resolutions [July 15] reported—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*Resolution in Committee*—Canada Defences (Guarantee of Loan)\*.

Ordered—*First Reading*—Glebe Loans (Ireland)\* [222]; Marriages (Ireland)\* [223].

*First Reading* — Ecclesiastical Dilapidations (No. 2)\* [224].

*Second Reading* — Public Schools Act (1868) Amendment\* [200]; National Debt\* [213]; Forgery\* [214]; Statute Law Revision\* [215]; Sewage Utilization Supplemental\* [201]; Shannon Navigation\* [192]; Exchequer Bonds (£1,300,000)\*; Pedlars' Certificates\* [199].

*Committee* — *Report* — Army Enlistment [106]; Gun Licences\* [134]; Vestries (Isle of Man)\* [198]; Sheriffs (Scotland) Act (1853) Amendment, &c. [191]; Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment (*re-comm.*)\* [208]; Dublin City Voters Disfranchisement\* [184]; Local Government Supplemental (No. 2) (*re-comm.*)\* [212]; Local Government Supplemental (No. 3)\* [188]; Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* [205]; Pier and Harbour Order Confirmation (No. 3)\* [210]; Ecclesiastical Patronage Transfer\* [160].

*Withdrawn* — Savings Banks [15]; Parliamentary Elections\* [120]; Mines Regulation and Inspection (*re-comm.*)\* [104]; Processions (Ireland)\* [170].

## PUBLIC PROSECUTORS BILL.

### QUESTION.

MR. RATHBONE said, he would beg to ask the Secretary of State for the Home Department, Whether, as the Public Prosecutors Bill, which was withdrawn at his suggestion on Friday 8th July, had the support of the Government, and the Treasury had drawn up and agreed to the money provisions to be inserted in it, and as the Bill moreover had been considered and amended by a Select Committee of the House, he will give an assurance that the Government will deal with the question early next Session?

MR. BRUCE, in reply, said, the hon. Member was, doubtless, aware of the circumstances under which this Bill was withdrawn, and he (Mr. Bruce) was under the impression that it was withdrawn with the full assent of the promoters. He could not pledge the Government to deal with the question next Session, because it had not yet received the consideration it deserved.



# FRANCE AND PRUSSIA—THE WAR— PROCLAMATION OF NEUTRALITY.

## QUESTION.

MR. VERNON HARCOURT: I beg leave, Sir, to ask the First Lord of the Treasury this Question, of which I have given him private Notice, Whether, having regard to the hostilities now unhappily imminent in Europe, it is the intention of the Government to issue a Proclamation, warning the subjects of the Queen to abstain from all participation in such hostilities, and to observe the Laws now in force for the maintenance of the neutrality of the United Kingdom in time of war; and whether, in accordance with the recommendation of the Royal Commission of 1868, it is the intention of the Government to introduce at once a measure to amend the existing Law, and to strengthen the hands of the Executive Government, in order the better to enable them to enforce its observance?

MR. GLADSTONE: Sir, it is the intention of the Government at the proper time—and I am afraid I must consider it certain to arrive—to issue a Proclamation of Neutrality to the effect and for the purpose described by my hon. Friend the Member for Oxford; but in point of technical regularity the proper moment cannot be said to have arrived until either a declaration of war has been issued, or until actual hostilities have commenced. [Mr. OTWAY at this moment placed a document in the right hon. Gentleman's hands.] At the moment when I am speaking, my hon. Friend the Under Secretary of State for Foreign Affairs has placed in my hands a telegram which has just been received from Lord Lyons at Paris. He states that the French Minister of Foreign Affairs has informed him that a declaration of war was despatched to Berlin yesterday, and that as soon as he hears of its arrival there it will be communicated to the Prussian Chargé d'Affaires. That being so, the matter has reached the point at which it will be the duty of the Government at the earliest period—probably to-morrow—to issue a Proclamation of Neutrality. With respect to the second Question, it is our duty to introduce at once a measure to amend the existing law, and to strengthen the hands of the Executive Government, in order the better to enforce its observ-

ance. The Government have taken into consideration the recommendations of the Royal Commission of 1868, and, without pledging themselves to precise principles, I may say it is their intention to introduce a Bill for the purposes to which my hon. Friend refers—namely, to secure the more complete and effectual fulfilment of all obligations that may be considered to attach to us in any contingency, under the Law of Nations, with respect to ships departing from our ports.

## UNIVERSITY TESTS BILL.—QUESTION.

LORD EDMOND FITZMAURICE said, he would beg to ask the First Lord of the Treasury, If the Government see any reasonable prospect of the University Tests Bill being proceeded with this Session, after the decision arrived at in “another place” on Thursday the 14th?

MR. GLADSTONE: Sir, at the present moment the Government are unable to form a positive opinion; but they do not despair of carrying the Bill through Parliament during the present Session, notwithstanding the effect of a Motion recently carried in the House of Lords. The first conclusion they were inclined to form was that that Motion was fatal to the measure; but from what they have since learnt, they think it their duty to wait a few days before allowing themselves to assume with certainty that that decision must necessarily be fatal to the Bill. Of course, it will be their duty to arrive at their conclusion with a due regard to the substance of the Bill and the object it has in view.

## MILITARY PRECAUTIONS IN IRELAND.

### QUESTION.

COLONEL STUART KNOX said, he wished to ask the Chief Secretary for Ireland a Question, not as it had been mutilated by the printer, but as he gave Notice of it. It was to ask the Chief Secretary for Ireland, Whether he is aware that the local magistrates of Cookstown, county Tyrone, were consulted as to the necessity of sending troops to that district for the 12th July; whether in spite of the local magistrates having declared it to be quite unnecessary, and that there was not the slightest probability of any disturbance, a force consisting of thirty-four Dragoons from

Dundalk, a company of infantry from Armagh, forty-seven constables, and two stipendiary magistrates from the South of Ireland were sent there; and, in addition, the Surgeon of the Scots Greys from Dublin, whose services could not be required, there being some of the best medical men in Ireland in that neighbourhood; and, what expense was entailed on the county by the movement of so large a force?

MR. CHICHESTER FORTESCUE said, in reply, that his information did not enable him to say whether the local magistrates were consulted upon this matter; but he had no reason to suppose that any expression of opinion such as was referred to in the Question of the hon. and gallant Member was given by them as a body, whatever one or two individuals might have said. The preservation of peace on certain anniversaries in the North of Ireland was sometimes a difficult and responsible duty on the part of the Irish Government, and on the occasion in question they were fully aware that meetings of one party were announced to take place in the district. Such meetings always involved danger of a collision with another party; but collisions were often prevented by the presence of a sufficient force in the neighbourhood. Of course, if they did not take place it was easy to say that the dispatch of a force was useless; but if, on the other hand, disturbances occurred, the Government would be blamed for not having taken proper precautions. Therefore, they only did their duty by following the course referred to by the hon. and gallant Member. As to the surgeon of the Scots Greys, he knew nothing of him. With respect to the expense of these movements, he was sorry to say that no expense would fall upon the district, but on the country at large; he was afraid the expense would be considerable.

#### CLAIMS OF LORDS OF MANORS TO WRECK OF THE SEA.—QUESTION.

MR. W. H. GREGORY said, he wished to ask the Secretary to the Board of Trade, Whether, in accordance with the promise of Mr. Milner Gibson, when President of that Board, he will lay upon the Table of the House Mr. O'Dowd's general report on the claims of lords of manors and others to wreck of the sea within the United Kingdom?

*Colonel Stuart Knox*

MR. SHAW LEFEVRE said, in reply, that the Report was of a confidential nature, and he did not think he would be justified in laying it on the Table.

#### NAVY—ARMOUR PLATES.—QUESTION.

CAPTAIN BEAUMONT said, he would beg to ask the First Lord of the Admiralty, whom he was glad to see in his place again, Whether he has placed himself in communication with the War Office with reference to the experiments on Armour Plates carried on by that Department; and, if so, whether he has found that the results obtained by the War Office experiments justify the system adopted by the Admiralty of protecting the sides of Ships with single Plates of great thickness?

MR. CHILDERS: In reply, Sir, to my hon. and gallant Friend, I have to say that, after the discussion which he raised in the House during the passing of the Naval Estimates, we communicated with the War Office; and the result is, that in all probability we shall undertake certain experiments as to the comparative advantages of one plate of double thickness and two plates of single thickness, with reference to the 12-inch plates of the *Devastation* and *Fury*. The experiments under the War Office are not, in our judgment, conclusive, as iron concrete was interposed between the two plates intended for shields, and that concrete could not be employed on a ship's side.

#### PARLIAMENT—BUSINESS ON THE PAPER—WITHDRAWAL OF BILLS.

##### OBSERVATIONS.

In reply to Mr. ASSHETON CROSS,

MR. GLADSTONE said, that, with respect to the Savings Banks Bill, he feared that it would not be possible to obtain a satisfactory discussion of it during the present Session; and it would, therefore, be withdrawn. He would mention two other Bills with respect to which the Government intended to take a similar course. One was the Mines Regulation Bill, which his right hon. Friend the Secretary of State for the Home Department had been anxious to proceed with, but it was not now thought possible to secure for it due attention. The other Bill which would not be proceeded with, though it was one of great



importance, was the Parliamentary Elections Bill. The Government entertained the hope, as long as hope could be entertained, of passing that measure, and at one time, when great expedition was made with the Education Bill, it seemed likely that it might be proceeded with; but the great length of time since spent, and not unworthily, on the Education Bill had drawn the House on so late in the Session that all the Government could hope to dispose of before the close of the week was the Education Bill and the Irish Land Bill, making at the same time some progress with Supply. Therefore, at the proper time, the Order of the Day for the Second Reading of the Parliamentary Elections Bill would be discharged.

#### NAVY—RESIGNATION OF MR. REED.

##### QUESTION.

MR. OSBORNE, after congratulating the House on the return of the First Lord of the Admiralty to his place, said, he would beg to ask, Whether he will explain the circumstances connected with the resignation of the Chief Constructor of the Navy?

MR. CHILDERS: Sir, I have no objection to give the fullest explanation on the subject, and to avoid mistake I will read the correspondence which has been held. On the 7th instant I received in the country from my Colleague, Sir Spencer Robinson, a letter from Mr. Reed, dated the 1st of July, which had been retained by Sir Spencer, with Mr. Reed's assent, for two or three days. It was in these words—

"I beg leave to place the resignation of my office in your hands for transmission to the First Lord, having accepted a valuable offer which has been made to me by Sir Joseph Whitworth in connection with his large engineering works at Manchester. In taking this deliberate step, which in some respects I take with extreme reluctance, I have no desire to discuss, or even to mention, those circumstances which make the office I have held less desirable than it might otherwise be, especially as they have but little to do with recent incidents, have no special connection with the present Government in particular, and result almost entirely from the very low estimate which all Governments put upon mechanical and scientific skill in this country, as compared with its value in private life. I desire, on the other hand, to say that I have felt, and still feel, the utmost sympathy with those truly great and valuable reforms in Admiralty administration which the present Government has introduced, and with which I have co-operated to the utmost of my ability, and I deeply regret the necessity of separating my-

self from them. My regret is the less, however, as you have most generously consented to assist the Government in completing them. In resigning, I beg leave to place myself entirely in the hands of your Lordships as to the time of my ceasing from duty; and I shall afterwards, at all times, be most happy to afford any assistance in my power in order to prevent the public service from suffering disadvantage in consequence of my withdrawal. I am most grateful for the very great personal kindness which has at all times been shown me by their Lordships, and I shall never forget the unwearied support which you have for eight years given to my humble efforts to promote efficiency and economy in the construction of Her Majesty's ships. I am particularly obliged to Mr. Childers, the First Lord, for having taken pains to explain to Parliament that the sum of money which has been granted me this year is a tardy payment for designs (involving much expense) prepared several years ago, and I trust it will be understood that I now leave H.M. Service without pension or emolument of any kind, but not without the consciousness that I have most entirely devoted to that service for the last eight years whatever faculty, strength, and energy I may have possessed."

That resignation was accepted on the following day, the 8th instant, in the following words:—

"Sir,—I have received and laid before the Lords Commissioners of the Admiralty your letter, addressed to the Controller of the Navy, resigning the office of Chief Constructor. In reply, I am commanded to inform you that my Lords have been pleased to accept your resignation."

On Saturday evening, the 9th, Sir Spencer Robinson received the following telegram from Mr. Reed:—

"If the state of affairs abroad should materially alter my case, I shall feel bound to do my utmost to meet the wishes of the Government. I leave for Blackheath at 3 to-day."

In reply, Sir Spencer asked Mr. Reed if this telegram was to be considered an official communication, and on the 14th received the following letter:—

"I beg leave to state that my telegram to you of Saturday last was official; that I made it under a sense of public duty; and that I am prepared to abide by it."

This letter was answered on Saturday, on my return to town, in these words—

"Having laid before my Lords Commissioners of the Admiralty your letter of the 12th instant, referring to your telegram of the 9th instant, both addressed to the Controller of the Navy, and offering your services in consequence of the state of affairs abroad, I am commanded to convey to you the thanks of their Lordships, but to inform you that my Lords do not see occasion to avail themselves of your offer."

MR. ASSHETON CROSS said, he wished to know, Whether the £5,000 which had been awarded to Mr. Reed had been partly for old and partly for new services?



MR. CHILDERS said, the whole correspondence on that subject was in print, and on the Table. He had explained it very fully on a former occasion.

#### STATE OF THE NAVY.

##### QUESTION.

SIR JAMES ELPHINSTONE said, he would beg to ask the First Lord of the Admiralty, Whether the Government intend to take any measures to strengthen the Naval Power of the Country, the better to be prepared for any eventuality?

MR. CHILDERS: I presume, Sir, I shall have the feeling of the House entirely with me when I say that that is not a Question which I can be expected to answer on the present occasion.

#### PARLIAMENT—MORNING SITTINGS AND EVENING COUNTS.

##### QUESTION.

MR. BENTINCK said, he would beg to ask the First Lord of the Treasury, Whether the experience of last Friday night does not afford strong ground for making some alteration in the present unfortunate system of Morning Sittings, which enabled any private Member at a few minutes after Nine o'clock to get rid of the business of the evening? It was quite clear that at this season the loss of a night must have a tendency to prolong the Session. During the last 10 years there was only one instance when the Civil Service Estimates were so late in being proceeded with as this Session.

MR. M. T. BASS said, he hoped the House would come to no Resolution against Morning Sittings. After considerable experience, he must say nothing facilitated Public Business so much as meeting at 2 o'clock, and he should be glad if the House could always meet at that hour.

MR. COLLINS said, he thought that after the protracted Sitting on Thursday till half-past 5 on Friday morning the count-out on Friday night was a very natural and legitimate result. To have sat again at 9 o'clock would have been most unreasonable. He thought there was no call whatever to make any alteration in the Rule of the House which enabled any hon. Member to take notice that 40 Members were not present.

MR. GLADSTONE: I must say I think, under the peculiar circumstances

*Mr Assheton Cross*

of last Friday, no general inference could be safely drawn against the Rule in question.

#### SUPPLY—ARMY ESTIMATES.

*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

(In the Committee.)

(1.) £412,400, Volunteer Corps.

MR. NEWDEGATE said, he wished to know, When it would be convenient to the right hon. Gentleman the Secretary of State for War to state the intentions of the Government with regard to the Volunteer Force?

MR. CARDWELL said, that the Volunteer corps themselves could not be more anxious than the Government were that everything that was possible should be done to promote the continued and increasing prosperity of the Volunteer Service. He would remind the Committee that the Commission which sat on this subject 10 years ago did not recommend that the whole of the expense of this service should be borne by the public. On the contrary, they expressly recommended that a portion of the expenses should be defrayed by private subscription. Since that time, however, there was no doubt that the question had undergone considerable change. As the Committee were aware, a large deputation of Volunteer commanding officers had waited upon his Predecessor in Office, and had asked him to increase the capitation grant by £1. That was declined, and when, on his accession to Office, a similar request was preferred to him, he had also felt bound to refuse it. He was then asked to make an increase of 10s. To that request he was unable to give an affirmative answer; but he had instituted a very careful inquiry as to the real sum at which, as far as they were able to judge, the capitation grant ought to be fixed in order to make it secure the liquidation of all necessary expenses. The examination which he had made had convinced him that to do that it was desirable to make it easy for the Volunteers to earn a capitation grant of £1 15s. instead of £1 10s. But that increase they did not propose to give to the individual private members of the corps. On the contrary, their opinion was that the most desirable thing for them to do was to increase, as far as possible, the

efficiency of the officers and non-commissioned officers of the Volunteer corps—an opinion in which he believed those hon. Gentlemen connected with the Volunteer Force would concur. They felt that it was desirable that the officers and non-commissioned officers should be better trained to the performance of their military duties, and with that view they proposed that the eight officers and non-commissioned officers in each company should be able to earn an additional £2 10s. each—an amount which would be equal to an additional 5s. capitation grant over the whole of the Force. Those were the views which he entertained, and, if approved by the Committee, he hoped to have an opportunity, shortly after the separation of Parliament, to confer with some of the most experienced officers of the Volunteer Force upon the arrangements necessary to carry the proposal into effect.

COLONEL BARTTELOT said, he hoped that his right hon. Friend (Mr. Cardwell) would remember that, although it was quite right that the officers should have an opportunity of earning more money, there were many officers who occupied rather peculiar positions; and he doubted whether his right hon. Friend's proposal would have the effect his right hon. Friend imagined. In some instances the presence of an officer, though but rarely given, was necessary to the success of a corps, and the time of others, again, was too much absorbed in trade or business to allow of their devoting themselves so assiduously to their duties as would be necessary. He believed it would be found the opinion of the Volunteer officers, whom his right hon. Friend proposed to consult, that the men ought to be allowed to earn an additional capitation grant by their own efficiency.

VISCOUNT BURY said, he was sorry that a general debate upon the subject of our Reserved Force had not been raised, and that a legitimate occasion so far as could be seen would not now be offered for such a debate. The statement just made by his right hon. Friend (Mr. Cardwell) with respect to the Volunteer Force had probably taken those hon. Members who were Volunteers somewhat by surprise, and they could not therefore venture to criticize with that freedom and decision which they otherwise would have done the details of a scheme which they now heard for

the first time. It appeared to him, however, that the Government had arrived at a solution of the difficulty which would scarcely be satisfactory to the general body of the Volunteer Force. The Committee, of which he had been a Member, had gone into the matter with great care, but none of the recommendations which they had laid before his right hon. Friend had been approved; and as that Committee had been selected with great impartiality and represented all portions of the country, it could hardly be expected that this wholesale rejection of their recommendations would give much satisfaction. He could not refrain from urging upon his right hon. Friend that which he had often urged before—the necessity of giving the officers a little more hold upon their men. Considering that a great deal of the expenses incurred were now borne by the men themselves, it would not well be possible to impose more discipline upon them as matters now stood. He believed, however, that this object might be attained by giving them some trifling exemptions, such as from serving on juries. Until we had a ballot for the Militia, and exemption for those who belonged to any other arm of the service, we should never have a satisfactory Reserve Force.

COLONEL NORTH said, he took the same view as his hon. and gallant Friend (Colonel Barttelot), that we should do everything in our power to make the men themselves efficient.

MR. WHITWELL said, he held that any extension of power to the officers, such as had been advocated by the noble Lord (Viscount Bury), would be extremely unpopular. He hoped any additional contribution to the Volunteers would be in consideration of their efficiency. There need be no fear, under present circumstances, that the Volunteers would not be anxious to make themselves efficient. He hoped opportunity would be given them of acquiring in large numbers a better knowledge of drill in connection with the Forces of the Line.

*Vote agreed to.*

(2.) £68,000, Army Reserve Force, (including Enrolled Pensioners).

COLONEL NORTH said, he would beg to ask whether the right hon. Gentleman could give any idea of what the Army Reserve really consisted?

MR. CARDWELL said, the present Vote had nothing to do with the Militia Reserve, which was liable to be called on for foreign service, and whose number was complete at 20,000. The latest Returns, with regard to the Army Reserve, showed that the First Class Reserve amounted to 2,108, and the Second Class to 18,507, or a total of 20,615.

Vote agreed to.

(3.) £374,900, Control Establishment, Wages, &c.

(4.) £1,428,300, Provisions, Forage, Fuel, Transport, and other Services.

(5.) £551,300, Clothing Establishments, Services and Supplies.

(6.) £820,400, Supply, Manufacture, and Repair of Warlike and other Stores.

SIR JOHN HAY said, the question of which he had given Notice on Vote 15 with regard to ordnance experiments had better be raised on Vote 12, which they now had reached. However, if he received an assurance from his right hon. Friend (Mr. Cardwell), that it was not intended to proceed with the experiments with the Whitworth gun which had been contemplated, and which would re-open the whole controversy, he would not, as he had intended, move to reduce the Vote by £10,000. He held in his hand a correspondence which had passed between a committee which sat at the War Office and the Admiralty since the date of the late discussion, and he was glad to find that the Admiralty, acting under the advice of the War Office, had decided that the point to which he had called attention on that occasion was one well deserving the best consideration. He rejoiced that unnecessary expenditure had been put a stop to; for if it had proceeded, it would have opened the door to a renewal of the whole Whitworth and Armstrong controversy, upon which £94,000 had been already spent.

MR. CARDWELL said, that the correspondence laid before Parliament gave a guarantee that no portion of the Vote for the present year would be expended on the matter.

MR. OSBORNE said, he wished to ask whether there had been any trial of that deadly instrument, the *mitrailleuse*; and, if so, whether it was to be compared with the field gun? Had not the result been to prove the superiority of the field gun?

*Colonel North*

MR. CARDWELL said, there had been a trial of two of these instruments—an American and a Belgian. They had both been returned to their inventors for improvements; only one of them had yet come back, but the experiments would be renewed when both were in our possession.

COLONEL BARTELOT said, he wished to ask a question with respect to the Martini-Henry rifle. It must be clear, if we were taking measures to arm our men with another deadly weapon, that weapon ought to be the very best that could be procured in the world. The question was, whether the Martini-Henry was the very best? Its admirers said that it was; but others said that a better was to be found. The question he had to ask was, to what test the right hon. Gentleman had put the Martini-Henry rifle in order to prove that it was the best weapon; and whether it had been submitted to some person who was competent to give a decided opinion as to its mechanical construction? He had been told it was defective with regard to its lock and breech-loading apparatus. That was a point of the greatest importance to us as a nation. The weapon served out to the British Army ought to stand all the tests that could be applied. He would like to hear that every opportunity had been and was being given to secure that the best arm should be introduced into the service.

SIR JOHN PAKINGTON said, it was most desirable that the House and the country should be informed what was our exact position with regard to the small arms for the Army. A committee was first appointed by General Peel, and sat for two years at the War Office. It was presided over by Colonel Fletcher, and it recommended the adoption of the Martini-Henry rifle. He was informed that this had been succeeded by another committee, and it was desirable that the House should know something as to its deliberations.

MR. CARDWELL said, the hon. and gallant Member opposite (Colonel Bartelot) had expressed exactly his own (Mr. Cardwell's) feeling—namely, that the very best small-arm should be adopted in the British Army. Colonel Fletcher's committee having reported in favour of the Martini-Henry rifle, a limited number of that arm were made and sent to Wimbledon last year, where they were



seen by some of the expert riflemen engaged there. Two hundred were made as soon as the machinery was ready, and were now in the hands of the troops at home and in India. Some of the Reports received concerning them were very favourable. Colonel Fletcher's committee was still sitting, and sifted these Reports. Two distinguished Volunteer officers were members of the committee—the noble Lord the Member for Had-dingtonshire (Lord Elcho), and Mr. Ross, the celebrated rifle shot, and they were paying the utmost attention to the question of the lock. They would report finally upon the Martini-Henry rifle, and his desire was that the best possible weapon should be placed in the hands of our troops at no distant period.

MR. WHITWELL said, he wished to know whether the committee had the power of examining into the merits of every other rifle submitted to them?

MR. CARDWELL said, he had placed no limitation upon their powers, and he presumed that the committee would exercise their discretion freely.

LORD EUSTACE CECIL said, it was currently reported that in the French service there was a very superior kind of *mitrailleuse*. He understood that a committee had examined the weapon, but they had not yet reported upon it, and he wished to know how long that committee had been sitting? If they had been sitting some time, he thought it would have been very advantageous to them if they had had some plan of the French pattern of that arm before them.

MR. CARDWELL said, he had received no official Report on the subject, though the French *mitrailleuse* had been described to him personally. He had no additional information to give beyond that which he had already communicated.

COLONEL BARTTELOT said, the gun-makers and manufacturers of the country complained that the committee sitting at the War Office was not a judicial committee alone, but also a constructive committee, having power to alter and amend the inventions placed before them. The gun trade of the country thought that that was most unfair, for that they, the gunmakers themselves, were quite able to alter and improve their arms. They considered that the committee was reverting to the form of the old Ordnance Committee, and making alterations in

the rifles submitted to them for the benefit of those employed by the Government, and not for the general benefit of the country. The trade thought that the committee should be simply and purely a judicial committee. It was said that there was an arm which was superior to the Martini-Henry, and the right hon. Gentleman (Mr. Cardwell) ought to allow the two to be tested together, and reported upon by experienced officers, who had commanded regiments, and who were competent judges of such matters. Our soldiers ought to have the best rifle that could be procured for them, and not one that had been tinkered up.

MR. O'REILLY said, he thought it most undesirable that the committee should be precluded from suggesting any improvement in the rifles laid before them. The object was to get in any way the best rifle that could be obtained, whether as laid before the committee, or as the result of the suggestions of the committee. He could not see that any injury thereby resulted to private manufacturers, and it would be injurious to the public service to silence the men most competent, from their experience, to suggest improvements. As to the *mitrailleuse*, it appeared to have been tried in Prussia and other countries, and all the inventions were a good deal alike in principle, that adopted by the French not differing materially from the rest. It consisted of a number of rifle barrels fastened together and worked by machinery, which discharged them very rapidly. Though the experiments tried in this country had not been completed, enough was known of the *mitrailleuse* to show the practical result of using it, and he believed that it would not prove particularly valuable or dangerous.

MR. VIVIAN said, he wished to say one word with regard to the abandonment of the Whitworth gun. His hon. and gallant Friend opposite (Sir John Hay) appeared to assume that the experiments instituted by the Whitworth and Armstrong Gun Committee proved that the Whitworth gun was not a success; but the contrary was the fact. He (Mr. Vivian) had recently read very carefully the experiments made with the Whitworth gun, and the conclusion he came to was that the Whitworth gun had proved itself superior, and very greatly superior, to the other guns which were brought into

competition with it. In one instance the committee reported that all the guns were upon an equality; but, with that exception, the Whitworth gun was shown to be superior to all others, and ranges were obtained which were wholly unobtainable by either the breech-loading or the muzzle-loading Armstrong. As to our field artillery, which was in the same condition as in 1865, the breech-loading 12-pounder had proved itself in almost all cases inferior to the muzzle-loading Whitworth and Armstrong, except for boat service, and he could not understand why it was allowed to remain in this inferior state. As to the large guns, the Government had been building 12-inch guns of 25 tons weight; but that weight was not sufficient to allow of the full quantity of powder which a bore of that size would consume being discharged from the gun, and the Government had now adopted the weight suggested by Sir Joseph Whitworth, and all his proportions, in all respects. The superintendent of the manufacturing department at Woolwich had, however, undertaken to produce a gun of the size which should be capable of discharging 120 lb of powder instead of 67 lb; but he thought the arrival at such a result was questionable, considering the metal to be used in the construction of the gun. Sir Joseph Whitworth had succeeded in producing a metal of enormous strength and power, and had satisfied him, and many other hon. Members capable of forming an opinion, that that metal was not liable to the ordinary conditions of steel, in that it would not burst explosively. It was  $2\frac{1}{2}$  times stronger than the metal employed by the Government. A great desire existed at the Admiralty to have the metal tested in guns, and it was a great misfortune to the country that that desire had not been carried out, for if it had been it might have carried us a year forward. Personally, he could not appreciate the reasoning of the Professor who advised the War Office that there was no analogy between the explosion of powder in tubes and its explosion in guns. If Sir Joseph Whitworth's gun had been tested we might have been a year more forward than we were. We should have to wait 6 or 12 months for the completion of the Woolwich gun, and if it were not successful we should then only be just where we were at present. The Government had apparently

been much influenced by considerations of expense, for while the Whitworth gun would cost something like £6,000, the Woolwich gun would only cost £2,400. But very few of these large guns could be put on board our ships, and only the very best that could be got should be put on board of them. A 25-ton 12-inch gun, consuming 67 lbs. of powder, could scarcely be so good as a 30-ton 12-inch gun consuming 120 lb. of powder. He trusted no time would be lost in completing this Woolwich gun, so that we might see how we stood, for it was doubtful, indeed, whether the right course had been pursued in declining to order one of the Whitworth guns.

MAJOR ANSON said, he would suggest that Sir Joseph Whitworth should make a gun of his new metal and send it down to Shoeburyness, where it could be tried with the others.

MR. OSBORNE: I am informed that Sir Joseph Whitworth is willing to do that, and that he has submitted a proposal to the right hon. Gentleman at the head of the Horse Guards. Here we are, on the eve of a great European war, and I believe we are unable to play our part in Europe because we have got into such a muddle with our cheap and nasty system. I say it advisedly, we have pared things down to such an extent that you could not put an army of 50,000 men in the field. I agree with what has been said about arming our infantry with the best weapon; but why should not our artillery also be armed with the best weapon? Sir Joseph Whitworth is known to have greater knowledge of gunnery and of the scientific mechanism connected with it than any other man in this kingdom; and this is admitted by all except those who belong to the jealous ranks of what may be called the regular profession. Has he not revolutionized the armament of this country and of the world? Why, then, is his gun not to have a fair trial? I do not profess to have an intimate knowledge of the matter; but I have taken some pains to inform myself; and I believe that it will be found hereafter, when some other nation gets guns of this metal, that we have committed one of our usual blunders of expensive economy.

CAPTAIN BEAUMONT said, there were two questions involved—one affecting the artillery and the other the metal;

*Mr. Fivian*



but the two were distinct, and ought to be kept distinct, and their separation would save us from difficulty. That the Whitworth metal was not liable to burst was a theory which it was difficult to substantiate. Some experiments had taken place with small tubes of not more than three inches in diameter, but they could afford no fair test, because the explosion of charges in large guns brought into play a certain set of conditions, the cause of which was unknown, and which destroyed the analogy between such an explosion and the explosion of powder in small tubes. Therefore experiments which were satisfactory with small tubes could not be regarded as satisfactory with large ones, and it was on these grounds that the scientific authorities of the War Office had questioned the value of the experiments which had been alluded to. What would be satisfactory would be that Sir Joseph Whitworth's steel should be further tried in order to test whether it was or was not the best metal. It had been tested in the ordinary way and returned as first-class steel. He believed that the reason of the rejection of the metal by the War Office was on account of its not being quite so dense as some others, and therefore presumably not so strong. While the War Office was quite right in not accepting it as being of extraordinary value, it would be as far wrong if it refused to try experiments until the strength and adaptability of the metal had been tested to the entire satisfaction of their professional advisers. An offer, as he understood, had been made to Sir Joseph Whitworth, that he should supply a tube of his metal as a lining for an ordinary gun, to be tested against tubes of the particular class of metal which was now used. It was said that Sir Joseph Whitworth objected to his gun being dealt with on the combination principle; but he (Captain Beaumont) thought that a more satisfactory trial could be obtained in that way than in any other, and that, under the circumstances, the War Office was justified in doubting whether, on the ground of economy, it was right to commit the Government to the cost of constructing a gun of 35 tons.

LORD EUSTACE CECIL said, he did not wish to enter upon the merits of the Armstrong or Whitworth gun; but distinguished Prussian and other foreign

officers had been heard to say that the English were at present armed with one of the worst guns in the world. With regard to the War Office, he entirely agreed with the remarks of the hon. Member for Waterford (Mr. Osborne); he believed it was at present in the greatest state of disorder. Two days ago he heard that on the occasion of the "fatal march" a requisition was made for water-bottles; but when the water was served out, every one of the bottles leaked, and the result was that the Commandant at Woolwich relieved the thirsty troops with two barrels of water. He had also been told that there was the greatest difficulty in finding the proper fuses for shells. He only trusted that if England went to war—though he hoped that would not be the case—the country would not be found as unprepared as at the time of the Crimean War. He hoped that the right hon. Gentleman (Mr. Cardwell) would not be led away by the cry of retrenchment, for those who raised that cry would be the first to turn round on him, if any unforeseen accident occurred. He (Lord Eustace Cecil) had expected that the First Minister of the Crown would have come down that day to say that it was absolutely necessary that some extra Supply should be granted for the Army and Navy. The right hon. Gentleman had not done so; but he (Lord Eustace Cecil) trusted, nevertheless, that no long time would elapse before the country was placed in an efficient state not only of defence, but also of offence, should occasion require.

MAJOR GENERAL SIR PERCY HERBERT said, he had heard that the other day nine regiments could muster only 3,000 men on parade. He should be glad to hear that some decision had been come to in regard to the pattern of field artillery. He wished to know whether it was proposed to substitute for the breech-loading Armstrong gun a muzzle-loading gun, stated to be an improvement on the French pattern?

MR. CARDWELL said, the question of fuses was intimately connected with the use of breech-loading or muzzle-loading guns. There was some doubt whether they had acted wisely in using the breech-loader as a field gun. The committee which had been appointed to consider the matter with reference to India had determined to adopt the



muzzle-loader; and he had thought it right, therefore, to send down a battery of those guns to Aldershot on trial. Sir Joseph Whitworth had been asked to supply the Government with his metal, for there were two points to be considered. The mode of making the metal might be the best, while the principle on which the guns were constructed might not be the most perfect. The recent investigations with regard to gunpowder, which were extremely curious, had the most important bearing on this question. The Admiralty first desired to have a 35-ton gun. The matter was referred to the Ordnance Council, consisting of a number of most competent men, and the decision of the Council was unanimous.

COLONEL BARTTELOT said, he had asked for a Return some time ago with regard to the expenditure incurred in connection with the Armstrong and Whitworth and other large guns, and also with regard to the small bores, but he had not yet received the Papers. He thought there was much to complain of in respect to the enormous expense the country was put to for the trial of guns, considering the unsatisfactory results which had been obtained. If the Government would offer a handsome premium for the best gun there would no doubt be plenty of manufacturers who would compete for it, and that would be a cheaper and surer way of securing success.

CAPTAIN BEAUMONT said, he wished to know whether any money was taken in the Estimates for the construction of the Moncrieff gun-carriage, and whether it had yet passed out of the experimental stage? The carriage was accepted as satisfactory, yet only two or three had been manufactured, nor had any experiments been made as to the effect of a shot or a fragment of a shell on them, though their chief virtue was supposed to lie in their defensive power. We were in the position of a man who should buy a horse for use and not ornament, and yet should never take the animal out of the stable.

MR. WHITWELL said, he hoped the right hon. Gentleman would not be led by anything that had been said about re-trenchment in this debate to alter the management of the War Office. He was perfectly satisfied that extravagance did not produce efficiency, and that inefficiency

was not the necessary result of economy. He wished to ask how soon the Volunteers would be armed with breech-loaders, as he was satisfied that they were depressed by being armed with an obsolete weapon.

MR. CARDWELL said, the store of breech-loaders had been kept low, because he had not yet got the Report upon the Martini-Henry rifle, and it must be obvious to the Committee that it would not be desirable to make a number of breech-loaders until the new pattern had been determined upon. There were at present in stock only 300,000 Sniders, the usual number being 400,000, and, therefore, as soon as he received the Report on the Martini-Henry rifle, he would proceed with the manufacture of the new breech-loaders. With regard to the Moncrieff gun-carriage experiments had been and would be made, and as to the cost of them he apprehended it would be found in the item for wages in the manufacturing department.

*Vote agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £700,400, be granted to Her Majesty, to defray the Expenses of the Superintending Establishment of, and Charges for, Works, Buildings, and Repairs, at Home and Abroad, which will come in course of payment from the 1st day of April 1870 to the 31st day of March 1871, inclusive."

COLONEL GRAY said, he wished to call the attention of the Committee to the item of £5,000 for the repair of Knightsbridge Barracks, a work on which it was contemplated to spend £12,000. He asked whether it was wise to spend that large sum of money on a building in such a state of repair? The present Chancellor of the Exchequer was one of a deputation some years ago in reference to the state of the barracks, when he strongly condemned them and said they ought to be removed. When the Committee considered the amount it was proposed to spend on the Prince Consort's Memorial, the Hall of Arts and Sciences, and the South Kensington Museum, they would probably agree with him in thinking that it would not be right to spend £12,000 on those barracks. Believing that £1,000 would be sufficient to provide for all present necessary repairs, he moved to reduce the Vote by £4,000.

*Mr. Cardwell*

VISCOUNT BURY said, he understood that the days of Knightsbridge Barracks were numbered, and that that building was to be removed.

MR. CARDWELL said, he would save his noble Friend the necessity of discussing the matter further by consenting to the withdrawal of that item of £5,000.

VISCOUNT BURY said, he wished to ask the right hon. Gentleman whether the idea of removing Knightsbridge Barracks had been abandoned?

MR. CARDWELL said, the idea had not been abandoned, for it had not been definitely entertained, and he did not know where else the barracks could be put.

SIR JOHN PAKINGTON said, he hoped there would be a further explanation on this point, which had caused much public anxiety. While he was in Office the deputation which had been referred to waited on him; after much deliberation he resolved to keep the barracks in their present position; and, indeed, he knew no other place where they could properly be put. The barracks were chiefly objected to by the owners of the houses that had been built in the neighbourhood, and his obvious answer to their arguments was that they had brought their houses to the barracks—to which they could make no reply. By the outlay of a moderate sum the barracks might be made fit for their purpose; but to remove them would be very difficult, and would involve an immense expenditure which he thought was not called for. As the right hon. Gentleman had withdrawn the item for the repair of the barracks, it should be understood whether it was his intention to change the policy of his Predecessor, and side with those whom he might call the enemies of the barracks.

MR. CARDWELL said, he only wished to put himself in precisely the same position as his Predecessor. He did not wish to ask for any money on account of Knightsbridge Barracks, because he had ascertained that this year could be got through without any expenditure on them. With regard to the maintenance or removal of the barracks, he was not prepared to give a positive answer on the subject. He had no other plan, and, therefore, could not say a word in favour of removal; on the other hand, if he knew of any satisfactory plan by which the wishes of the neighbourhood could

be met, without inconvenience being given to the public service, he should not think it right to object.

Motion made, and Question proposed,

"That the Item of £5,000, for Knightsbridge Barracks, Alterations, and Repairs, be omitted from the proposed Vote."—(Mr. Secretary Cardwell.)

Question put, and agreed to.

MR. ALDERMAN LUSK begged to call attention to the amount of £3,000 for providing billiard-rooms, an item of which he did not approve, and which he hoped would not be seen in future Estimates.

MAJOR-GENERAL SIR PERCY HERBERT said, he wished to ask, whether the Secretary for War had on hand a plan for a model barrack, and whether the time had elapsed during which the right hon. Gentleman felt himself obliged to employ a particular architect? The barrack at Chelsea was a most expensive one, and gave general dissatisfaction.

MR. CARDWELL said, he had not entered upon the consideration of any plan for the new barrack, and was not able to answer the question.

(7.) Original Question, as amended, put, and agreed to.

£695,400, Works and Buildings.

(8.) £139,300, Establishments for Military Education.

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £50,600, be granted to Her Majesty, to defray the Expense of Sundry Miscellaneous Services, which will come in course of payment from the 1st day of April 1870 to the 31st day of March 1871, inclusive."

CAPTAIN BEAUMONT said, that one of the items—£2,000 for experiments connected with torpedoes—was very small, and as our fortifications were not in so satisfactory a state as they could have hoped, and as the great importance of torpedoes was now admitted by most military men, especially for defensive purposes, he hoped the right hon. Gentleman would not neglect the opportunity of developing, as far as possible, that important branch of our defensive works.

MR. CARDWELL said, he fully acknowledged the importance of the question of torpedoes; but he would remind the hon. and gallant Gentleman that the torpedoes were already provided for under a separate head in the Store Votes. This item was only for experiments, and he had been told upon the best profes-

sional authority that the sum was sufficient.

COLONEL NORTH said, he would draw attention to the fact that £5 5s. was put down as the public subscription to each of the following hospitals:—St. George's, Brompton Consumption, Convalescent, and Small Pox. Soldiers derived a great deal of benefit from these institutions, and he must express his regret that the subscription was so paltry in amount.

MR. CARDWELL said, he had only asked for the same amount as had been granted in former years.

LORD EUSTACE CECIL said, the sum which was required for an annual governorship in the hospitals in question had probably been fixed on as the amount of subscription, although no doubt it was very small.

COLONEL STUART KNOX said, he hoped the subject would be considered before next Session, and that the subscriptions would be increased.

MR. CARDWELL said, he would not pledge himself to ask for a larger sum next year. But if it appeared that we got more than we could reasonably ask for our subscriptions, he would.

MR. MILLER said, he objected to the item of £600 for the salary and travelling expenses of the Inspector under the Contagious Diseases Act. He moved the reduction of the Vote by that amount.

Motion made, and Question proposed,

"That the Item of £600, for Salary and Travelling Expenses of the Inspector under the Contagious Diseases Act, be omitted from the proposed Vote."—(*Mr. Miller.*)

MR. CARDWELL said, the policy of the Act was one thing, and the duty of the Executive to carry the Act into effect was another. While it remained in force the Executive should not be left without the means of defraying the expenses in connection with it. The Inspector was a most meritorious officer.

MR. McLAREN said, he would remind the Committee that this question had been debated at considerable length when an hon. Member took notice that Strangers were in the Gallery. The question was adjourned till Wednesday next, when a Motion would again be made that strangers be ordered to withdraw. He thought the Vote should be reduced.

Question put, and *negatived*.

Original Question put, and *agreed to*.

*Mr. Cardwell*

(10.) £27,300, Rewards for Distinguished Services, &c.

(11.) £73,000, Pay of General Officers.

(12.) £598,000, Full Pay of Reduced and Retired Officers and Half Pay.

(13.) £155,300, Widows' Pensions, &c.

(14.) £20,800, Pensions for Wounds.

(15.) £36,000, Chelsea and Kilmainham Hospitals (in Pension).

COLONEL NORTH said, he desired to learn what decision had been come to with regard to Chelsea Hospital, and whether it had been determined, as reported, that the vacancies which occurred should not be filled up?

SIR JOHN PAKINGTON said, he wished to ask what attention was to be paid to the recommendations that had been made that the schools of these hospitals should be made instrumental in training and rearing young men for the Army? Some such plan might be adopted with benefit, and he wished, therefore, to know whether the suggestion was under consideration?

MR. CARDWELL, in reply, said, that the subject referred to by the right hon. Baronet had been under the consideration of the Royal Commission on Education, and their Report would, probably, convey the views of the Members upon the subject.

CAPTAIN VIVIAN said, in reply to the hon. and gallant Member opposite (Colonel North), he had to state that the Report of the Committee appointed to inquire into the Chelsea and Kilmainham Hospitals had only just been printed, and there had not yet been sufficient time to allow of its being considered.

MR. O'REILLY said, he trusted that it was not, at all events, the intention of the Government to abolish the Chelsea Hospital before the reassembling of Parliament.

MR. CARDWELL said, it certainly was not.

*Vote agreed to.*

(16.) £1,220,100, Out Pensions.

(17.) £148,300, Superannuation Allowances.

(18.) £18,000, Non-effective Services (Militia, Yeomanry Cavalry, and Volunteer Corps).

*House resumed.*

Resolutions to be reported *To-morrow*;

Committee to sit again upon *Wednesday*.



## ARMY ENLISTMENT BILL—[BILL 106.]

(Mr. Secretary Cardwell, Captain Vivian.)

## COMMITTEE.

Bill considered in Committee.

(In the Committee.)

On Motion, "That the Preamble be postponed,"

MAJOR DICKSON, in rising to move that the Chairman do now leave the Chair, said, he would acknowledge that such a Motion was unusual, and that the ordinary course would be to move the rejection of the Bill on the second reading. But the momentous events now occurring on the Continent fully justified him, as he maintained, in the course he now proposed to adopt. The events which had occurred since the second reading of the Bill rendered it, as he thought, desirable that the House should have an opportunity of considering and of stating its opinion whether it was desirable to experimentalize with our Army at a time when two of the greatest military Powers in Europe were actually engaged in war, and when it was impossible to tell whether we ourselves might not soon be drawn into the struggle. He was not without hope that the right hon. Gentleman (Mr. Cardwell) would withdraw a measure which he (Major Dickson) could not help regarding as ill-considered and fatal in its character. He said "fatal" because he believed that if they passed this Bill in its present shape they would destroy that which always had been, as far as its numbers went, the finest Army in the world by legislation which was purely theoretical, and which was opposed to all our experience in the past. That it was an experiment they must all agree, and that it would be fatal to the efficiency of the service he would in a few words endeavour to show to the Committee. If they passed this Bill it must necessarily exclude old soldiers from the ranks. We were making a very great sacrifice for a doubtful result, and indeed no result could compensate for that sacrifice. Many hon. Members, perhaps, supposed that by means of this Bill they would create an Army of Reserve equal in efficiency to the present Standing Army. He cautioned them against such an idea. As far as the cavalry and artillery were concerned, an Army of Reserve was preposterous. It would take a number of years to make a

recruit a good horse soldier, and constant drill to keep him in a state of perfection. And if after three years' service they were to send a man to pursue his calling, as a shoemaker for example, was it to be supposed, on being summoned back after two or three years, he would make a useful horse soldier? Not at all, for the probability was that he would be able neither to ride nor to use his sword. Indeed, these Reserve men, when recalled to the ranks, would be little better than recruits, and in some respects they would be worse, because they would have lost the essential quality of ready unquestioning obedience. An infantry soldier might be made to march well in a couple of years; but there were other qualities which could not be attained with limited service—confidence in their officers and in each other, the habit of ready unquestioning obedience, and that *esprit de corps* which had always been a distinguishing feature in the regiments of the English Army. His noble Friend (Lord Eustace Cecil) had put upon the Paper an Amendment to the effect that no recruit should be enlisted under 20 years of age, and if the Bill was to become law such an Amendment would be quite justified, for else our Army would be composed of men not only young in service, but young in years. On the second reading of the Bill he cautioned the House not to place too much reliance on young soldiers, and compared the conduct of the old regiments in the Crimean War and the Indian Mutiny with that of the new. The right hon. Gentleman replied that the Battle of Waterloo had been won by young soldiers; but his hon. Friend (Mr. Scourfield) came to his assistance by stating that the Duke of Wellington had said that if he had his old soldiers he would have won the battle by 2 o'clock. Indeed, had not the Prussians come up in the nick of time, the history of the world might have been changed. It should not be overlooked that under this Bill the non-commissioned officers must be selected from inexperienced soldiers. And what would be the effect on drummers, trumpeters, farriers, saddlers, shoemakers, &c.? As soon as they became skilful they would leave. He had listened in vain for any practical argument in favour of this Bill. It had always seemed to him that reformers of the English Army were apt to shut their eyes to the merits, and to

see only the defects of our Army, while in Continental Armies they saw nothing but what was good. They were, therefore, in favour of remodelling our Army according to Continental ideas. But it must strike everyone that any such attempt would be futile unless we went to the root of the Continental system and adopted conscription. But when the right hon. Gentleman took the difference of habits and customs into account, and reflected how impossible it was by legislation to alter the character of a people, he must be convinced that any attempt to introduce conscription into this country would be a failure. If the Secretary of State was going to take Prussia as his model, it was to be hoped he had some better reason than that the Prussians had beaten the Austrians in the late war. If the statements he (Major Dickson) had heard were true, he should be sorry indeed that English regiments should ever take the field in the condition in which some of the Prussian regiments took it during the last campaign. He had been told, upon good authority, that many of the Prussian infantry regiments were neither more nor less than undisciplined mobs; and had it not been for three circumstances, he believed the Prussians would have met with a disastrous defeat. He was not now alluding to the needle gun, which, of course, gave Prussia great advantage. But the facts were, the cream of the Austrian Army was engaged in the south, a large proportion of the Army in the north were composed of Italian troops, who would either not fight at all or were half-hearted in the cause; and, worse than all, the Austrian commanders, instead of attacking the Prussians, executed day after day a series of disastrous retreats; and any military man well knew that constant retreating, while it demoralized and disheartened one's own troops, gave their opponents a courage which they would not otherwise possess. If the right hon. Gentleman took the Prussian Army for his model, he must consider that every male in Prussia had to take service, and therefore if he intended to Prussianize our Army, he must go much further than was now proposed. The Belgian Army was more like what our own army would be under this Bill. In that Army, which was founded on conscription, the men enlisted for eight years, of which they served one-third in

*Major Dickson*

the ranks and two-thirds in the Army of Reserve. And what was the result? One scarcely ever saw in Belgium a soldier with hair upon his face; the Army was composed of boys staggering under the weight of their arms, ammunition, and accoutrements. Why not go to France and see what was done there? The French authorities did everything in their power to keep the old soldiers in the ranks. Associations had been formed in France to aid in procuring substitutes for those who did not wish to serve, but upon whom the conscription had fallen; but the Government had taken these associations into their own hands, had fixed the price of the substitutes, and where did they go to look for them? To the ranks of the Army; and they applied the money they received for the substitutes to the relief of old soldiers. As this country could maintain only a small Standing Army, it was the duty of the Secretary of State to see that it was as near perfection as drill and discipline could make it, so that when we had recruits the Standing Army might be the leaven to leaven the whole. But if they passed this Bill the Army would be composed of men young in service and young in years, in whom the Reserve men could feel no confidence, and for whom they could have no respect. He valued an Army of Reserve, but not if it were obtained by sacrificing the efficiency of the regular Army. He need not say that he opposed this measure in no party spirit. He opposed it because this was a dangerous time to experimentalize with our Army, and because he believed the Bill would strike a fatal blow at the efficiency of our Army. With a great respect for the abilities of the right hon. Gentleman, he felt that no statesmanship, however brilliant, and no abilities would, without practical knowledge, fit any man to be Commander-in-Chief of our Army, and the Secretary of State for War was now little else. Theoretical legislation never had produced, and never would produce, efficiency in any Army; and for these reasons he moved that the Chairman do now leave the Chair.

Mr. O'REILLY said, that he doubted whether the great Duke had ever fixed the exact moment at which he might, under particular conditions, have won the Battle of Waterloo. With reference to the statement of the hon. and gallant

Gentleman (Major Dickson) as to substitutes in France, the system he described had been given up by the Government, and two years ago, when money was wanted, the funds thereby obtained were absorbed for other purposes. As to the Bill, one misapprehension ran through the whole argument of the hon. and gallant Member. He assumed that the scope of the Bill was to substitute universally a three years' service for the Army instead of the present term of enlistment. But that was not the proposal or the object of the Bill. The old term of enlistment was 21 years; this was reduced to 12 years, without any of the ill effects which at that time were predicted, and the object of the Bill was, at the discretion of the military authorities, and in such cases as they thought desirable, to allow a number of men to leave the Army who had served a minimum term of three years. But it was anticipated that a considerable number of men might serve for 21 years, or even for life, and provision was made in the Bill for such cases. The three years' service was not compulsory or universal; it was optional, and by no means universal. Then, the hon. and gallant Member said it was no use to have any but old soldiers. No doubt, in a battalion during war, it was desirable that a considerable number of men should have seen service; but some of the regiments which behaved best at the Alma contained hardly a man who had been under fire at all. Three years were sufficient to drill and train an infantry soldier, and these men, mixed up with older hands, would form the best material for an Army in the field. Then the hon. and gallant Member said that after one or two years of civil life a three years' soldier would be hardly any better than a raw recruit; but the experience of France and Austria did not confirm this opinion. The best soldiers in France were those who had been dismissed on unlimited furloughs but who were now hurrying to their regiments as fast as they could. In France, a law had been passed allowing a short enlistment for the term of the war alone, and with such an example, he thought that, so far from diminishing our military strength, a short term of service would rather increase it. He had frequently expressed the opinion that the only effective way in which we could provide an effective

Army of Reserve for England would be to introduce a system by which there should be in the country a large number of men who had been trained to military service, and who, whether they were receiving a retaining fee or not, would be impelled by patriotism, in case of emergency, to return to the ranks and give us the benefit of their experience. He trusted that the Committee would not accept the proposal of the hon. and gallant Gentleman.

COLONEL CHARLES LINDSAY said, they were asked, as it were, to stand god-fathers to a Bill for which they were responsible when passed into law; and as the name which they were called upon to give it did not represent all the principles upon which the actual enlistment into the Army was to be based, and as they were asked to legislate upon some of those unknown principles, under the title of "Army Enlistment," which had been established since the second reading of the Bill, he would take the opportunity, with the indulgence of the Committee, of remarking upon the unfair position in which those hon. Members who took an interest in Army matters were placed. He considered that the title of the Bill was intended to embrace a great deal more, in connection with what was called Army Reform, than it had presented to the Members of the House of Commons, owing to the alterations which had been recently made in the Royal Warrant of 1866-7, of which the House knew nothing officially. He considered, therefore, that the Committee would be discussing the various clauses under a great disadvantage, unless further information and explanation were given by the Secretary of State. It appeared to him that the provisions of the Bill, as they then stood, were rendered vague and incomplete in consequence of the appearance of a Royal Warrant, dated 2nd June, 1870, which he held in his hand—a Warrant which had been issued since the second reading of the Bill, and which, owing to its date, must have been previously decided upon by the Government, and which, therefore, ought, in justice to hon. Members, to have been announced before the second reading, so as to have put them in possession of the intentions of the Government. That was a document which, he ventured to say, not half-a-dozen hon. Members had ever heard of, and much less seen—a docu-



ment which would materially affect the future enlistment of the Army—a Warrant which cancelled Article 779 in the Warrant of 1866-7, but of which no one had any official information. What did the Warrant say? It said—

“VICTORIA R., Whereas we deem it expedient to shorten the periods hereafter necessary to entitle the soldiers of our Army to the various rates of good conduct pay, and to abolish the additional pay of 1*d.* a day now granted to men after the completion of their first term of limited service.”

Then came a long string of no less than six classes relating to good conduct pay; but, as they were made up to a period of 28 years' service—which was 16 years beyond the term of service laid down by the Bill—they were not in harmony with the intended conditions of service as laid down for the Army, and they were, to a certain extent, superfluous, and could have no application, as far as the rank and file were concerned. To explain. He would take the scales as far as the 12 years, which was, according to previous explanation by the Secretary of State, to be the extent of a soldier's service. They said—

“That a soldier after having served two years, provided his name had not been entered in the Regimental Defaulters' Book for two years immediately preceding his claim, would receive 1*d.* a day with one good conduct badge, and that after he had served six years, and having uninterruptedly been in the receipt of 1*d.* a day for two years immediately preceding his claim, he would receive 2*d.* a day with two good conduct badges.”

Now, the following comparison, he said, would show what a different position the soldier who enlisted under this Act would be in, from what he had hitherto been in. He then compared the amount of money actually receivable by a soldier during 21 years under the provisions and regulations in force previous to the Royal Warrant of the 2nd June, 1870, exclusive of regimental pay and beer-money, which were as follows:—Regulations previous to 2nd June, 1870—bounty on joining, £1; bounty on re-engagement after 8 years, £1; extra penny a day on re-engagement after 8 years' service for 13 years, £19 15*s.* 5*d.*, exclusive of good conduct pay and pension on discharge—total £21 15*s.* 5*d.* On Warrant of 2nd June, 1870, up to 12 years, inclusive—bounty, nil; good conduct pay after the second year's service for 4 years, £6 1*s.* 8*d.*; which com-

pleted 6 years with the standards; total, £6 1*s.* 8*d.*—and which showed a decrease in receipt of £15 13*s.* 9*d.* But, in the event of a man serving the whole of the 12 years with the standards, or being, as a matter of course, allowed the option of re-engaging, he ought at the end of his service, provided his character was invariably good, to have received 2*d.* a day for the last six years of his enlistment, which would amount to £18 5*s.*, and a total of £24 6*s.* 8*d.*—a sum which many would never obtain, owing to the stringent rule as to regimental offence which, although prejudicial to them financially, ought not, as a matter of course, to stamp them as bad characters. Now, he considered this raised a question of serious importance, for under this new scheme a man might have served six years and never have received good conduct pay—a circumstance which would tell more against him as a first Army Reserve man, on making application for civil employment, than even a bad discharge would tell against a civilian who had been turned off by his employer, thereby considerably diminishing the soldier's chance of civil employment. Now, to show the difference between the old and the intended new system. On the existing system a soldier who had served 21 years received £21 15*s.* 5*d.* for bounty and re-engagement pay, and if he had been free from regimental offence he also received good conduct pay after 3, 8, and 13 years from 1*d.* to 3*d.* a day, to the amount of £59 6*s.* 3*d.*, and he also received a pension on discharge which at the lowest rate of 8*d.* a day, and supposing he lived to the moderate age of 60, would amount to £255 10*s.*, and to a sum total of £336 11*s.* 8*d.*, and he thought no one could say that the British soldier was over paid, considering the price of labour and the service which he rendered to his country; whereas, on the new system about to be established, and backed up by the Warrant of the 2nd of June, the soldier could only have received a total of £24 6*s.* 8*d.* good conduct pay, up to 12 years' service—the maximum period of his enrolment—and that with the best of characters, and not a farthing more, because he was to be deprived of the option of continuing in the service, if he wished it, and thereby ensuring his livelihood as a soldier. But if he were to have the exclusive option

*Colonel Charles Lindsay*

of re-engaging continuously up to 21 years—that was for nine years more after his first enrolment had expired—and with the prospect of a pension on discharge, to which he would be fairly entitled, he would have received, for good conduct pay, £69 19s. 2d., and for pension, if he lived to 60, at 8d. a day, £225 10s., making a total of £325 9s. 2d. But as that was not the intention of the Bill or the Warrant, as far as the rank and file were concerned, the scale had no application after 12 years with the standards, and it was quite illusory. There was another important alteration contained in the Royal Warrant of the 2nd June, which decreed that the additional pay of 1d. a day granted by the Warrant of 29th June, 1867, should not be issued to anyman who should re-engage more than three months after the date of receipt of the new Warrant in the district or command in which he should be serving; so that the conditions upon which all those men had been serving were to be abolished, and only three months' law given from the 2nd of June to qualify for re-engagement; so that if a man had served seven years and eight months, he would lose the 1d. a day, which his comrade, who had served one month more, would receive. That was clearly unjust. It was all very well to say that the men who were sent into the First Army Reserve would get 4d. a day; but that was merely the price of military bondage, in the shape of a retaining fee for future service if necessary. According to the provisions of the Bill and of the Royal Warrant, the Army would no longer be looked upon as an honourable profession or of prospective interest, because its compulsory short service would deprive it of its character as a profession. These considerations, he thought, would have the effect of deterring young men from enlisting; and, under all the circumstances, he hoped the right hon. Gentleman would agree to postpone the further consideration of the Bill until its scope was more generally understood.

VISCOUNT BURY said, he thought that the Secretary of State for War must admit that the Motion of the hon. and gallant Member for Dover (Major Dickson) was conceived in an admirable spirit and expressed in moderate terms. Some nights ago, he (Viscount Bury) expressed the opinion that this was not a proper time to enter upon

a very material and radical change in the constitution of our Army. Since then the state of things which he had in contemplation when he made that remark had arisen, and Europe was now in a state of war. It was all very well for hon. Gentlemen to say that England would throughout the struggle maintain her neutrality; but he must say that to anyone who studied the signs of the times the possibility of England being able to maintain strict neutrality during the whole of the war now commencing must appear as at least a matter of speculation. They had heard of announcements on the part of one Great Power and another that they would remain neutral so long as Prussia and France were alone engaged in the struggle; but they also learned from apparently authentic statements in the newspapers that if other events arose, and other Powers were drawn into the quarrel, Russia would not be content to look on and be neutral. They had also heard of a message addressed by France to Belgium for the purpose of ascertaining whether Belgium was prepared to defend her frontier against attack by Prussia, and of the spirited reply made by the King of the Belgians to the question addressed by France as to the defence of the frontier; but no one could fail to see that, regard being had to our treaty obligations with Belgium, we were in a position which, in a probable contingency, might cause our neutrality to be seriously imperilled. Under these circumstances, hon. Members felt themselves to a great extent tongue-tied, as a single heedless word might produce great difficulties, and, therefore, he repeated that it was not desirable that this House should be compelled to go into the discussion of various questions which the measure would involve. He yielded to no one in his admiration for the abilities of the right hon. Gentleman the Secretary of State for War, or in the recognition of the right hon. Gentleman's thorough mastery of the details of his Department; but he could not believe that this Short Enlistment Bill would be a good thing for the Army. Those who knew anything about the service were aware that it took three years to make a man an efficient soldier, and yet just at the expiration of that time it was now proposed to part with him. It was said that the man would be relegated to the Army



of Reserve until he was wanted for future service; but there was good reason to believe that if the man found civil employment to suit him he would not return to the standards, or if he did come back, it would be as unwillingly as a conscript entered a Continental army. He agreed with the hon. Member for Abingdon (Colonel Lindsay), that the Bill might operate unjustly with regard to many soldiers, for if a man, however excellent he might be in all other respects, failed to observe all the strict regulations of military discipline, he would be debarred from obtaining civil employment. He would not go so far as the hon. and gallant Member for Dover; he did not find fault with the Bill root and branch; but he thought they ought to have a very full exposition of the reasons which induced the right hon. Gentleman to propose this great change. The introduction of the Royal Warrant to which allusion had been made had taken away the additional 1*d.* a-day on re-enlistment, and he disbelieved in their power to attract as many men as this system would require; for the Bill would have the effect of causing a compulsory retirement. He trusted his right hon. Friend would give good reasons for opposing the Motion of the hon. and gallant Member for Dover. At present he (Viscount Bury) saw no alternative but to support it.

SIR JOHN PAKINGTON said, he quite agreed that his hon. and gallant Friend the Member for Dover (Major Dickson) had introduced this subject in a tone and manner which entitled it to the favourable consideration of the Government and of the House. But he did not rise to enter into any discussion of the principle of the Bill. When his right hon. Friend (Mr. Cardwell) brought forward this subject, in the speech in which he moved the Army Estimates, he, following him, stated that when he held the Office of Secretary of State for War he was frequently pressed by military authorities of very great weight to consider the question of diminishing the time of service in the Army, and he proceeded to state that he should be perfectly willing to give a fair consideration to the Bill to be introduced. That Bill was now before them; and if they proceeded with the Committee, he should have abundant opportunity of considering, as the different clauses came before

them, what was the principle of the Bill, and how far it was likely to conduce to the improvement of the Army. He would rather address himself to what fell from his hon. and gallant Friend the Member for Dover and his noble Friend (Viscount Bury) with regard to the moment when they were called on to discuss the Bill. Whatever might be the merits of the question of short service of the Army they must all be aware that it was one on which high military authorities were very much divided. Many thought short enlistment would be an improvement; others, entitled to the greatest weight, thought it dangerous; he must therefore appeal to his right hon. Friend, whether it would be prudent, at the present moment to embark on a change which certainly was not necessary. Our Army had always maintained the highest character. It was a fact that could not be disputed — the Army of England, for its numbers, had always been one of the most efficient in the world. He willingly admitted that was no reason why they should refrain from improvement where improvement could be effected. It was no reason why they should abstain from experimental changes; but he could not help hoping the Government would think that when war had so suddenly broken out, and when they knew not from day to day what events might arise, that was not a moment for commencing unnecessary experiments which might have a tendency to cause alarm and shake public confidence in our military system. He should reserve himself with regard to the clauses of the Bill till they came before them in regular order. He had no intention of dissuading the right hon. Gentleman from trying an experiment of this kind when, hereafter, a favourable moment presented itself; but he very much doubted whether the present was an opportunity that he could avail himself of.

MR. CARDWELL: Sir, I admit the justice of the appeal made to me by my right hon. Friend who preceded me in Office (Sir John Pakington). I admit also that the Motion was made in the most friendly terms, and that every proposal I have made since I came into Office has been considered by him with the most perfect candour and fairness. Still, I must say that this is not a right Motion. In the first place, it is brought forward without Notice, and if Notice



had been given that we were going to discuss the principle of the Bill on the present occasion, I think there would probably have been a much larger attendance of hon. Members. In consequence of the pressure of other business at the time of the second reading, I only gave a short explanation of the object of the measure, and I do not think the Committee fully appreciate what the Bill is. It has been spoken of as a revolutionary change in the system of the Army, but, in point of fact, it is not a revolutionary change at all. Indeed, I should be the last man to propose a revolutionary change in a system so complicated as that of the British Army. Again, it has been stated that I am necessarily a mere theorist because I have no practical acquaintance with military matters. I may remark, however, that I have the means of obtaining the best military information, and, certainly, I have not proceeded with this Bill without getting all the information I could. If you pass this Bill you will not take away from the Government or from the military authorities one single power they now possess, nor will you strike a blow at the present system of recruiting for the Army. Let this be distinctly understood. You are invited to give them additional power, and to enable them to attract to the standards a class of men who will not now join them. Then, as to the time, I must say that if there could be one moment more opportunity than another for making the experiment it would be a time of emergency. The Bill, however, was introduced at the beginning of the Session, and I introduced it then because I thought it would work beneficially for the Army and for the whole community; for everything that tends to make the Army more popular, and to create a good feeling between it and the community at large cannot fail to be beneficial to both. No time would be better for trying such an experiment as the present, when additional powers for recruiting may possibly be wanted. It has been said that short-time men would be less valuable than those enlisted for a longer period. But what possible effect can short enlistment have upon the Army in the case of men who are to be the subjects of this Act of Parliament? It may bring you, and I hope it will, an additional number of men willing to join your standards, but the

period when they leave the standards will be six years hence. They cannot possibly affect you by withdrawing, because this will not happen until six years hence. With respect to the three years' term, I have repeatedly stated that that was the minimum; my object is to place the men for six years in the Army, and for another six years in the Reserve. Then we have heard a great deal about old soldiers. No man has said more than I have in favour of old soldiers. I have quoted the remarkable words of the Duke of Wellington, but what did the Duke say? Did he say they were to be all old soldiers? On the contrary, what he said was that the old soldier was to be the hinge and pivot of the Army, and that when you had a certain number of old soldiers in the Army it was wonderful what the young men would do side by side with them. The object of the Bill is, that while you maintain intact all the power of recruiting that you possess, and while you do not weaken the Army one iota or impair its efficiency, you introduce an entirely new element which we hope will be most efficacious. Now, I trust I shall not lose the vote of any hon. Member at this time who would have been ready to support it at another. If this were a hazardous experiment, I should be unwilling to try it at any time; I, however, believe it to be an experiment which will add greatly to the power of those engaged in recruiting the Army. Other countries have conscription and less of foreign service, and do not have to contend with our high rate of wages in civil employment. We have no conscription. God forbid that we ever should! We have a very extensive foreign service and the highest rate of wages of any country in Europe, and that places great difficulties in our way. We wish to avail ourselves of the willing services of every man whom we can induce to join. It has been said that you will get only unwilling men, who, when they get into the Reserve, will not return to the standards. But does not the noble Lord (Viscount Bury), who uses that argument, perceive that if the argument has any force it must have far greater force in the case of a man who is invited to join the Army for a long period? How many men will say—"I will join the Army for six years, with the prospect of a regular yearly allowance for six years more," who

would not join for 12 years' continual service; and how many men in times when the military spirit is excited would enlist for the shorter period who could not bring themselves to think of the longer? This provision will be adding considerably to the power of those who have to call for troops for the Army. I need not enter into the questions which have been raised about the long period of service; I have explained that this is not a Bill for the three years' service, but for six years. I shall, however, be able to show, when I come to the clause, that it would be more convenient to make a minimum of three years in certain cases than to limit the authorities to six years. Considering the obstacles which I have mentioned as being in the way of enlistment in this country, it is desirable that Parliament should interpose no other obstacles, but should make the system as elastic as possible. We wish the service to offer attractions to men of every disposition as regards time. An hon. Member (Mr. O'Reilly) has spoken of this Bill as if it were designed to enlist men for 12 years, and in discussing the Royal Warrant, which I think he cannot clearly comprehend, he spoke as if the Bill were intended to limit enlistment for 12 years. It is no such thing. This Bill contemplates that if a man is enlisted for six years it shall be possible for him to agree to go on for 12, and, after that, for nine more, making 21 years, and even beyond that if he should have become a valuable non-commissioned officer. In short, the general principle of the Bill is not to try experiments with those things which exist, but to add to what we now have increased powers. I trust the hon. Member (Major Dickson) will, under these circumstances, allow me to proceed and not press a Motion which I fully admit was justified by the haste with which the Bill was read a second time.

MAJOR GENERAL SIR PERCY HERBERT said, that the Bill was evidently based upon a fallacy which seemed to have taken strong hold of the right hon. Gentleman (Mr. Cardwell), and that was that by merely reducing the number of years a better class of men would be induced to join. But when the present high rate of wages among labourers was taken into account it would be seen that it was absurd to suppose 1s. 2d. per day would obtain a better class of

men for six years than 1s. 2d. per day did now. Six years' enlistment at 1s. 2d. per day would not draw men earning 16s. and 18s. a-week on railways or under commercial firms. His objections to the Bill, however, were expressed in an Amendment he had placed on the Paper, and he supported the Motion of his hon. Friend (Major Dickson), in the hope that the Government would be induced to withdraw the Bill in order that it might be amended in many respects. He was not opposed to a great part of the Bill; he was anxious for an Army of Reserve, but was at issue with his right hon. Friend as to the means by which it should be obtained. He would enlist for 12 years, as at present, but give power in the Bill to discharge any man at any time within the period without being obliged to give a reason for dismissal. Those men who were discharged at the end of six or seven years, as was most convenient, could be invited to join the Army of Reserve with 4d. per day pay. If a man declined, a recruit would fill his place; and the result would be that a number of men having had the advantage of six years' training would be scattered about the country. He was afraid that the provisions of this Bill would not be fully understood by the recruits, and that at the expiration of the six years' service they would think that they had been entrapped into serving in the Army Reserve. He was glad that the right hon. Gentlemen had conceded so much as to lengthen the period of enlistment from three years to six. The hon. Member for Longford (Mr. O'Reilly) unintentionally fell into an error when he stated that at the present moment the French soldiers were enlisted for the term of the war, which was not likely to be as long as three years. The real fact was, that French soldiers who had served their time were re-enlisted for three years or for the term of the war. An allusion had been made to an observation of the Duke of Wellington respecting the troops at Waterloo. Now, a relative of his had met the Duke at dinner in the company of Caning, who questioned him very much upon the Battle of Waterloo and his other principal battles, and more particularly with regard to what he would have done had he had his old Peninsular soldiers with him at the former battle,

*Mr. Cardwell*



and the Duke's reply was, that in that case the battle would not have lasted six hours, but that then it would not have been the Battle of Waterloo, and that it would not have had the decisive effect it had. The Duke's opinion of the Army at Waterloo was that it was the worst that he had ever commanded, it being chiefly composed of young untrained recruits, a large number of whom wore their militia uniform.

CAPTAIN BEAUMONT said, he was cordially in favour of the principle of the Bill as far as it proposed to shorten the period of enlistment and to popularize the Army. He must, however, on Clause 4, move to amend the measure by leaving out in page 1, line 25, the words, "Army service," and substituting therefor the words, "the infantry or five years in the cavalry, seven in the artillery, and ten in the engineers." The object of the Bill was to leave the number of *cadres* of regiments untouched and to give the Secretary of State for War the means of filling them up when necessary with a number of trained men. The question before the country was, whether they would prefer to be defended by a small number of perfectly trained men, or by a still smaller number of perfectly trained men and a large number of those who were in a manner leavened with military training. He thought three years was quite sufficient time to make a substantially good infantry soldier—that was, at least four-fifths of the soldier's education would be acquired in that time. The American soldiers in two years and a-half were transformed from the raw recruits who captured Fort Sumter without losing a drop of blood—except in the case of two men, who were killed by the fireworks celebrating the event—into the disciplined veterans who poured out whole holocausts of blood at Gettysburg. It was said by military critics that the chief cause of the success of the Prussian forces was that they were formed under the principle embodied in this Bill, which would be tested in the approaching campaign. The French system was rather the other way. He thought it would be well if the whole of our Reserves were made to pass through the Army, which would afford them the best military training school possible.

MR. SCOURFIELD said, with respect to the observation of the Duke of

Wellington, to which he had made an allusion, the accuracy of which had been impugned by the hon. and gallant Member opposite (Mr. O'Reilly), he had referred to the *Letters of Sir George C. Lewis* in the Library, and had found therein this statement—

"I have often heard my father quote a remark of the Duke of Wellington, that if he had had his Peninsular regiments at Waterloo the battle would not have lasted till two o'clock. I think he said this to my father or in his presence."

COLONEL NORTH said, he regretted to hear from the right hon. Gentleman opposite (Mr. Cardwell) that he was about to part with the powers of enlistment he had hitherto possessed.

MR. CARDWELL: What I intended to state, was that every power of enlistment that we had under the old system would remain. There is nothing in the Bill which repeals one of those powers. All that the measure proposes to do is to give us additional powers.

COLONEL NORTH said, he had looked in vain for the word "pension" in the Bill.

MR. CARDWELL: That is because it does not repeal any part of the old law which gives pensions.

COLONEL NORTH said, he was anxious to know what, under the circumstances, would be the position of recruits under the new law with respect to pensions. Of course, they could not break faith with those who enlisted before it was passed. He wanted to know whether those who enlisted under the new Bill would be entitled to pensions? [Mr. CARDWELL: Certainly.] He was for seeing in our Army the professional soldier—the man who made a military life his calling, and who followed the fortunes of his regiment wherever it might go. It was admitted that it took three years to make a soldier. Why, then, were we to get rid of him the moment he was made? Everyone knew that the country was put to a great expense before the recruit was of the slightest use. It was to the *esprit* which long association with a regiment gave men that their officers had to trust in the hour of the greatest danger, and it was it which carried regiments through almost impossible difficulties. His right hon. Friend the Secretary for War had alluded to the strength of foreign armies. The power of those armies afforded an argument against reducing the strength



of our Army, and yet we had dismissed no fewer than 20,000 men from it within the last 15 months. In "another place" the Under Secretary for War had stated that there were 61 regiments at home now, whereas there had been only 46 at home in 1868. There was this, however, to be said on the other side, that in the 46 regiments of 1868 there were some 13,100 more men than in the 61 regiments of the present day, because there were 950 in each battalion at home in 1868, while there were only 500 in each battalion at home now. [Mr. CARDWELL: No!] He contended he was right in his estimate. It had been already stated in debate that nine regiments at Aldershot last week produced less than 3,000 men; and some months ago he stated that out of a battalion of 500 men 150 had to be deducted for orderlies, sick, officers' servants, band, &c., and that at a time, when they did not know where to turn for men. In 1854, at the time of the breaking out of the Crimean War, the strength of the Army was 124,801 men. There were serving in the ranks 122,464, leaving a deficit of 2,337 men. The following year they were increased to 189,956, but only 143,298 were serving in the field, leaving a deficit of 46,658. In 1856 the Army was increased to 205,808, and there were serving in the ranks 155,406, men, leaving a deficit of 50,402 men. He would trouble the House with an extract from the Report of the Recruiting Commission of 1867, which was presided over by the Earl of Dalhousie. It was in these terms—

"Recent events, however, have taught us that we must not rely in future on having time for preparation. Wars will be sudden in their commencement and short in their duration, and woe to that country which is unprepared to defend itself against any contingency that may arise, or combination which may be formed against it."

In conclusion, the Commissioners stated—

"Having thus given our opinion on the different points referred to us, in conclusion we must observe that we are perfectly aware that our suggestions, if acted upon will tend to increase the cost of the Army. But, when we consider the vast interests at stake, and the immense amount of wealth and property accumulated throughout the country as well as in our large cities, we cannot believe that the nation will hesitate in paying what, after all, will amount to a very trifling rate of insurance; and by maintaining the peace establishment of the Army in a sound and satisfactory condition, and having in its support a well disciplined Reserve, we may thus arrive at a military organization such as shall give confidence to the

country, and enable all your Majesty's subjects to prosecute without distraction those duties and pursuits in which they may be engaged."

He would now direct the attention of the Committee to some remarks made by a man whose opinion carried weight with that House, and whose loss to the House and the country they all deplored. He meant Lord Herbert of Lea. In a speech delivered by him in the House of Commons on the 12th of December, 1854, Mr. Sidney Herbert used this language—

"But, I ask, on whom rests the responsibility that England, at the commencement of a war, must make small wars? Why is it? It has been the fault of every Parliament; we have always had the same stereotyped system of economy in military affairs. I am speaking the whole plain truth in this matter. I am as much to blame as any one. I have held for some years the responsible situation of Secretary of War, and I know what have been my own shortcomings in this respect; but this too I know, that whenever I have brought forward, as I have done, what are called Peace Estimates, I have constantly been met with Motions for large reductions. I say, therefore, that it has been the fault of all parties, all Administrations, every Parliament; I am afraid I cannot give my assent to any exception, however eager I may be to do so; I have seen Administrations formed of various parties—I have seen them taking different courses on almost every conceivable subject, but on one they have agreed, and that has been the one to which I have alluded—one of improvident economy. What has been the result? At the commencement of the war we had to make means, and to create an Army and to use it at the same time."—[3 *Hansard*, cxxvi. 136.]

Again—

"We could not get a man of those regiments which the right hon. Baronet says ought to have been sent out; and he must recollect that we cannot create an Army; we must get the men first, then make them into soldiers by drilling them and instructing them in the skilful use of their weapon; for nothing will be so injurious to the reputation of our Army as sending men into the field inefficient for their duty."—[*Ibid* 152.]

What would be our position if we were dragged into the war just commenced? This country was always ungrateful to its public men in times of trouble, and the first victim of their ingratitude would be his right hon. Friend the Secretary of State for War. Could anything have been more atrocious than the conduct pursued towards the late Duke of Newcastle at the time of the difficulties in the Crimea? He was made responsible for everything that had occurred, though, as shown by Lord Herbert, it was owing to the penurious course taken during successive years by the House of Commons. You might drill a man in three months, but it was the disciplined mind

Colonel North

that made the soldier a man who could not only judge for himself, but obey the order of his commander. In Hyde Park the Volunteers moved with great precision; but they had never done outpost duty or mounted guard. He hoped the House and the country would recognize the necessity of maintaining an Army of trained soldiers.

MR. CARDWELL said, he would not follow his hon. and gallant Friend (Colonel North) into the discussion of topics which he thought hardly germane to the matter in hand. [Colonel NORTH said the subject was recruiting.] The more the country stood in need of recruits the greater the urgency for passing this Bill; but he wished to say that the distribution of troops, under the Estimates of the present year, gave a larger number of regular troops in this country than the distribution of 1868. When the regiments coming, and already on their way, from the Colonies arrived home there would be a larger force in this country than we had in 1868; and taking into account our Reserves available for home and foreign service, there would be a larger force available for active service than there had been in any year since 1816, except the year succeeding the last year of the Crimean War.

LORD EUSTACE CECIL said, that it was quite right the country should know what our available force amounted to in case of any unforeseen contingency arising. According to the disposition of troops given in the *Army List* for July, we had at home 37 battalions of the Line; and six of the Guards, and three regiments of Cavalry; and taking the strength of the battalions of the Line at 400, that of the battalions of the Guards at 600, and that of the Cavalry regiments at 250, we had about 18,400 men of the Line and the Guards, and 3,500 Cavalry for garrison and field duty at home in case of invasion.

Amendment, by leave, *withdrawn*.

Motion *agreed to*.

Clause 1 *agreed to*.

Clause 2 (Twelve years the limit of enlistment).

LORD EUSTACE CECIL said, he had given Notice of an Amendment—namely, in page 1, line 14, after “service,” to insert, “Provided always, That

no person shall be enlisted as a soldier until he has attained the age of twenty.” We had suffered very much, indeed, from having young soldiers in our ranks, and as this was a Bill really limiting the term for the enlistment of the soldier, it was right to provide that the State should have the advantage of his services in the prime of youth. The result of enlisting mere boys and sending them out for service during the Crimean War was that they filled the hospitals and cost the country much money. Again, much of the success of Prussia in 1866 was due to the fact of her soldiers being older than those of Austria. It might be said that his Amendment would limit our choice of men in case of emergency. To a certain extent it would do so; but it was a question whether it would not be far better, as a matter of pounds, shillings, and pence, to pay a large bounty and so secure a man of more mature age than to enlist a mere boy, who simply sickened in the service and became a burden on the country. Another reason in favour of his Amendment was that the Militia and the Line now entered into competition with each other, the age for enlistment in both branches of the service being the same. His view was that the Militia was the real Reserve Force of the country, and it would be far better if young men enlisted in it at 18 or 19, and that afterwards they should be drafted, if necessary, into the Line. If the Secretary of State for War would give him an assurance that he would take care that no soldier should leave this country before he was 20 years of age, he would not press the Amendment which he now proposed.

MR. CARDWELL said, the object of the Bill was to set men at liberty for civil life at an early period, and it would be quite inconsistent with that object to enact that no recruit should be enlisted under the age of 20. The limitation proposed by the noble Lord was not supported either by the opinion of military authorities or by the Report of the Recruiting Commission. If they adopted the age of 20, they would be obliged to take as recruits young men who had tried some other employment and had failed, or, perhaps, lost their character. As to sending recruits on service abroad, no doubt it was desirable that they should not go to India, for



example, too young; and by the working of the double battalion system it was sought to obviate that evil as far as possible. He could not, however, engage to limit the power of recruiting in the way suggested by the noble Lord.

MAJOR GENERAL SIR PERCY HERBERT said, he hoped that the noble Lord (Lord Eustace Cecil) would not press his Amendment to a Division. Having, unfortunately, in this country no conscription, we were not able to take our men when we chose, but rather when we could get them. A large number of men entered at 18 years; and, indeed, it was remarkable how frequently the age of 17 years and nine months occurred, 18 being the time from which service for pensions dated. If the limit were raised to 20 years the only difference would be that it would lead to a little harder swearing.

*Amendment negatived.*

*Clause agreed to.*

Clause 3 (Terms of enlistment).

MAJOR GENERAL SIR PERCY HERBERT said, he had an Amendment to propose—namely, in line 19, to leave out from “and for the residue” to the end of the clause. He desired to give the Secretary of State for War every facility for forming his Army of Reserve, if he would form it, in the way that was not likely to create suspicion among the young men who entered the service. If the right hon. Gentleman would enlist them for 12 years, reserving to himself the right to discharge them after any period of service, they would perfectly understand it. But many of them being uneducated, or but slightly educated, if asked to enlist for 12 years, six years to be passed in the Army of Service and six years in the Army of Reserve, he was afraid that many a man who was turned out at the end of six years’ service, with no choice in the matter, would think he had been entrapped into a second engagement, and thus a feeling of dissatisfaction would be excited.

Mr. CARDWELL said, the Amendment really struck at the root of the whole Bill. He did not think the recruit was an ignoramus who could not make an intelligent bargain, and the object of the Government was to get men who were quite capable of understanding the contract into which they entered. It used to be the notion that

they could not trust a recruit without an escort, but now they gave him a railway ticket and told him to go to his regiment; and last year out of 8,182 men only seven acted in a manner not to justify this confidence. The great inducement these men would have to join our standards was the engagement that at the end of six years’ service they would have 4*d.* per day to pay their rent or meet any other expense to which they were put.

SIR JOHN PAKINGTON said, he hoped his right hon. and gallant Friend would not press his Motion to a Division.

*Amendment negatived.*

*Clause agreed to.*

Clause 4 (Change of service).

COLONEL BARTELOT said, he considered this the most important clause in the Bill. It gave power to the Secretary of State to discharge soldiers at the end of three years’ service. That would be just when they were becoming of service. The right hon. Gentleman thought by this Bill to improve the Army from the better class of recruits he would obtain. He (Colonel Barttelot) believed that was a great mistake. The men enlisted for three years would come in as amateurs, whose object would be to retire as soon as possible into private life; and when in private life and married, and with good and remunerative situations, how could it be expected that they could be got at any time they were required? He was expressing the opinion of most commanding officers, and he would venture to say that the opinion of his Royal Highness the Commander-in-Chief was opposed to that of the right hon. Gentleman on this matter. They wanted men who would take up the Army as a profession; but the Bill would bring into the Army a lot of young men who would afterwards return to private life, and who, from their short service, would have no attachment for their regiment, and who, if again called upon to serve, would have no knowledge of, and consequently no confidence in, their officers. The right hon. Gentleman might have shoals of recruits; but what would be the condition of their regiments? They would not have the same class of fighting men they now had. He wanted to have some definite time named, and that the Secretary of State should



not have the power to enlist men for the Army as he pleased for three or six years. He begged to move the Amendment of which he had given Notice, and to state that he should divide the Committee on this Amendment.

Amendment proposed, in page 1, line 24, to leave out the word "three," in order to insert the word "five."—*(Colonel Barttelot.)*

SIR JOHN PAKINGTON said, he very much doubted the prudence of retaining the term "three." He understood his right hon. Friend intended practically to extend the period of enlistment to six years. [MR. CARDWELL: Generally.] Then he had great confidence in the good old rule—"Always say what you mean and mean what you say." If his right hon. Friend meant "six," why did he say "three?" It was this clause which led him (Sir John Pakington) to think it would be more prudent in the present state of Europe if the Bill were not pressed.

MR. CARDWELL said, he would explain the motive of this clause. It was not a clause which enabled the Secretary of State for War to enlist or engage. That power was given by the 3rd clause. The clause they were now considering simply enabled a variation to be made by mutual consent in the terms of engagement. He proposed to put in the clause the minimum of three years, but that was not at all inconsistent with the general intention of making the service six years—it might be inconvenient to take all recruits for six years. If a regiment were going to India, for instance, in four or five years it might be extremely convenient to recruit it for the short period of three years and afterwards a second time with special reference to India; or, to take another case, suppose, after a war, as at the end of the Crimean War, there was a great call for the reduction of Estimates, and it became necessary to reduce the Army—if a great number of men were suddenly discharged, they would retire under a sense of injustice and hardship at being dismissed after they had given their best services during the war. This clause would give the opportunity of offering to all who chose to accept the pay and advantages of the Reserve.

COLONEL NORTH said, he thought there could not be a great objection to our young recruits going out to India

for the full term of their service, because it was proved that that class of men were far more likely to live in India than men of a more advanced age.

CAPTAIN STANLEY said, he must oppose the clause. He submitted whether the second paragraph in the 7th clause did not cover any doubts as to regiments going to India, and, therefore, whether it was not possible that the first service at least should be of a definite duration.

MR. CARDWELL said, it was quite possible that the transfer of men to home regiments might make those regiments in excess of the establishment strength.

CAPTAIN STANLEY said, he would ask whether that difficulty was not met by any provision giving the Secretary of State power to transfer from regiments which were in excess to regiments which were not? He was of opinion that there would be much dissatisfaction amongst the men, if, having enlisted for a certain period, they were sent to the Reserve before the expiration of such period.

MR. CARDWELL said, it might be very much better for the public service to transfer the men to the Reserve rather than to regiments. He was anxious, by recruiting new men, to keep up the regimental spirit.

VISCOUNT BURY said, he thought it right that the men should thoroughly understand everything that appeared on the face of their enlistment. If they were shown an Act of Parliament which said that at the end of three years they were to be dismissed, but it was really intended that that should not be done till they had served six years, it would be better to say at once that the service should be for six years. The more he saw of the Bill, and the more he heard his right hon. Friend's (Mr. Cardwell's) explanation, the more he was convinced that the period stated in the Bill was all the time for which they could retain the services of these men. If a man was to enlist at nineteen, to remain in the ranks for six years, and if he was then sent into the Reserve, he would go into business, take a shop, and marry, and they could not without hardship bring him back again. He had married a wife, and so he would not come. They might as well make him a present of the 4*d.* a day, for they never could get him back.

CAPTAIN VIVIAN said, the soldier would enlist for 12 years, and the recruiting officer would tell him how many

he was to serve under the standard, and that at the end of the period of four, five, or six years, as it might be, he would go into the Reserve. If hon. Gentlemen would be good enough to read the second paragraph of the 3rd clause, they would find that the portion of the period for which he was to serve under the standards was to be fixed from time to time by the Secretary of State, and specified in the attestation paper, so that there could be no doubt on the recruit's mind as to the terms of the service. His noble Friend (Viscount Bury) had said that the man would open a shop and marry, and could not be got back. But the Reserve soldier would be liable to the same provisions as the pensioner—he would have to attend drill, and show himself at certain times to the military authorities in order to claim his 4*d.* a day; besides which if he did not attend he would be tried for desertion.

COLONEL NORTH said, he wished to know whether the recruit would be able to read in the attestation paper that if he did not come up again he would be tried for desertion.

MAJOR ANSON said, he had intended to vote for the clause until he heard the speeches in support of it; but he would now vote for the Amendment of his hon. and gallant Friend (Colonel Barttelot). He had much experience of India, and he believed that nothing would be more fatal to our power in that country than to send out young recruits there in the way now proposed.

MR. CARDWELL said, the Bill gave power to the Secretary of State to apportion the recruits to the Indian regiments in such a way that the regiments should not contain too many young soldiers.

MAJOR-GENERAL SIR PERCY HERBERT said, it appeared that the position that a boon was offered to the recruit was abandoned, for the hon. and gallant Member for Truro (Captain Vivian) trusted rather to the policeman. He was afraid if the action of the policeman was invoked, it would make these men anti-recruiting agents for the rest of their lives.

CAPTAIN VIVIAN said, he would ask what objection any man could have to getting 4*d.* a day for really doing nothing, unless under certain circumstances which they all hoped would not occur—except to show himself and to parade at certain periods?

*Captain Vivian*

MAJOR-GENERAL SIR PERCY HERBERT said, he thought it quite certain, if the right hon. Gentleman was confident the recruit would think this a boon, he would not require him to accept it six years in advance.

MR. CARDWELL said, the universal presumption of every contract was that it was for the benefit of both parties to it. But he had never heard before that there should be no laws for the enforcement of the contract.

COLONEL STUART KNOX said, that the recruit was very much like the Irish tenant; he was not a fit person to contract. When a man had been a year or two in the service he knew how to look after his own interests; but it was not fair to enlist him with all the pains and penalties attached without putting it into his attestation paper. The hon. Member for Truro (Captain Vivian) had proved that this provision would not only do a great deal of harm to the Army, but would take in the recruit, who would be subject to such regulations as might be made from time to time by the Secretary of State. He was quite sure the present Secretary of State would do nothing unfair; but future Secretaries of State might think it necessary to reduce the Army in a hurry, and thus get rid of all the engagements they might have entered into.

MAJOR DICKSON said, he regarded the Bill as likely to ruin our prestige in India.

COLONEL LOYD-LINDSAY said, he thought the terms upon which the soldier was to be enlisted should be clearly understood. It would be much more simple to put in six years at once. A Bill could not be very clear or simple which required so many explanations from two Members of the Government.

MR. EASTWICK said, he would remark that this short service would entail additional expense.

Question put, "That the word 'three' stand part of the Clause."

The Committee *divided* :—

The Tellers being come to the Table, Colonel Barttelot, one of the Tellers for the Noes, stated that Mr. Matthews, the Member for Dungarvan, had not voted.

Whereupon the Chairman directed the honourable Member for Dungarvan to come to the Table, and asked him if he had heard the Question put; and the honourable Member having stated that

he had heard the Question put, and declared himself with the Noes, the Chairman desired his vote to be added to the Noes.

The Tellers accordingly declared the Numbers, Ayes 122; Noes 56: Majority 66.

COLONEL BARTELOT said, he would beg leave to move, in page 1, line 25, to leave out "Army service" and insert "the infantry, or five years in the cavalry, artillery, and engineers." He should like to have some assurance as regarded those three branches of the service, because if the large numbers of men who were engaged in them were liable to be sent home after the expiration of three years, it would be a perfect farce. He hoped the right hon. Gentleman (Mr. Cardwell) would state distinctly that he did not intend to touch those branches.

Amendment proposed, in line 25, to leave out the words "Army service," in order to insert the words "the infantry, or five years in the cavalry, artillery, and engineers."—(*Colonel Barttelot.*)

CAPTAIN BEAUMONT said, he had on the Paper another Amendment, to leave out "Army service" and insert "the infantry, or five years in the cavalry, seven in the artillery, and ten in the engineers." He would state the duties of those branches in order to show that if the term of three years was right as regarded the infantry it must be wrong with respect to the others.

THE CHAIRMAN said, he must point out that there was already an Amendment before the Committee.

MR. CARDWELL said, he hoped that the hon. and gallant Member for Sussex (*Colonel Barttelot*) would not press his Amendment.

COLONEL BARTELOT said, he was exceedingly sorry the right hon. Gentleman had not thought fit to give way on the point. He believed the Amendment to be a sound and honest one, and he should certainly persist in it.

MAJOR DICKSON said, he wished to know whether the opinion of any cavalry officer had been taken on the subject.

CAPTAIN VIVIAN said he might mention the case of the 11th Regiment, which had served under the late Lord Cardigan, which had practically to be remounted after its return from India, and which yet at the end of 12 months was reported fit for duty.

MR. NOEL said, he had often heard Lord Cardigan say that it required three years to make a cavalry soldier, but that he preferred five.

MAJOR ANSON said, he had heard Lord Clyde, speaking of the 9th Lancers, as it filed past him, say that people had abused him for not risking his soldiers; but if he had allowed that regiment to be cut up it would have taken seven years before it could be replaced. In that opinion he concurred, and he should therefore support the Amendment.

COLONEL BARTELOT said, he believed that all the commanding officers of cavalry but one were in favour of his proposal.

COLONEL STUART KNOX said, the hon. and gallant Member for Truro (*Captain Vivian*) had mentioned, in support of his view, the name of an officer who was not alive, and who could not contradict the statement which he had made.

Question put, "That the words 'Army service' stand part of the Clause."

The Committee divided:—Ayes 111; Noes 85: Majority 26.

COLONEL NORTH said, he must quote the opinion of a predecessor of the right hon. Gentleman (*Mr. Sidney Herbert*), who, in 1856, said—

"The efficiency of the Army is at stake, and in any change such as I have to make, we ought to be careful to have the assent of the great body of the profession."

Now there was hardly one military man who agreed with the right hon. Gentleman in this most suicidal proposal.

Clause agreed to.

Clause 5 (In imminent national danger, Her Majesty may continue soldiers in Army service).

MAJOR GENERAL SIR PERCY HERBERT said, he would suggest that every soldier on discharge should be able to go away with a little money in his pocket, and with this view the right hon. Gentleman might arrange to give the men a small gratuity.

MR. CARDWELL said, that suggestion should be considered.

Clause agreed to.

Clause 6 (Enlistment for general service).

COLONEL BARTELOT said, this clause would strike a deadly blow at our regimental system, which had never yet failed.



MR. CARDWELL said, the enlistment would first be for general service, and the military authorities would afterwards be empowered to post the recruit to a particular regiment. The principle existed already under the 10th section of the present Army Enlistment Act, and the Recruiting Commission were of opinion that as many men as possible should be recruited for general service. In a subsequent clause, however, he allowed men to be recruited for particular regiments.

COLONEL LOYD-LINDSAY said, the Bill entirely ignored the regimental system, and men thus recruited would have little interest in the service.

Clause agreed to.

Clauses 7 and 8 agreed to.

Clause 9 (Re-engagement of soldiers).

MAJOR GENERAL SIR PERCY HERBERT said, he would propose to insert in line 3, after "any soldier," the words "not under the rank of full corporal." This limitation would enable the Secretary of State to relieve the country from a great part of the heavy burden in respect of pensions to discharged soldiers, which now amounted to £1,200,000. He did not propose to affect men who had been wounded, or re-engaged men after 12 years' service in the time of war.

MR. CARDWELL said, he thought the restriction proposed would be too severe.

Amendment, by leave, *withdrawn*.

Clause agreed to.

Remaining clauses agreed to.

House resumed.

Bill reported; as amended to be considered *To-morrow*.

#### GUN LICENCES BILL—[Bill 134.]

(Mr. Dodson; Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

COMMITTEE. [Progress 23rd June.]

Bill considered in Committee.

(In the Committee).

Clause 7 (Penalty for using or carrying gun without licence).

MR. RUSSELL GURNEY said, with a view to prevent any check being placed on the rifle practice by Volunteers, he would propose as an Amendment in page 2, line 29, after the word "duty," to insert, "or when engaged in target practice."

Colonel Barttelot

MR. STANSFELD said, he would propose, on behalf of the Government, that the Committee should allow the Bill to pass through Committee as it stood at present, after accepting the Amendment of the hon. and learned Member for Southampton (Mr. Russell Gurney), and then on the Report to take the Amendments placed on the Paper in the most convenient order. If the Amendment of the hon. Member for West Essex (Sir Henry Selwin-Ibbetson) were carried, he should propose that the servants of an occupier of land having a licence should be exempt from the licence duty. If the Committee allowed the Bill to pass through Committee that night he would be prepared to bring up certain Amendments on the Report.

VISCOUNT GALWAY said, the statement of the right hon. Gentleman was very satisfactory. He would suggest that the Bill should be amended on the Report, by authorizing the owner of land, or the watcher employed by him, to demand the production of the licence.

MR. COLLINS said, he wished to point out the difficulty of discussing Amendments which were not in print. As far as he could see, the Amendments indicated by the right hon. Gentleman (Mr. Stansfeld) would meet the approval of the majority of the House.

Amendment agreed to.

Clause agreed to.

Remaining clauses agreed to.

House resumed.

Bill reported; as amended, to be considered upon *Thursday*.

#### SAVINGS BANKS BILL—[Bill 15.]

(Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

ORDER FOR SECOND READING DISCHARGED.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER moved that the Order of the Day for the Second Reading of this Bill be read and discharged.

MR. ASSHETON CROSS said, he was glad to hear that the Order of the Day for the Second Reading of this Bill was to be read and discharged; but he felt bound to remark that this was a Bill which proposed to affect the savings, amounting to £37,000,000, of 1,500,000 depositors, and that the effect of introducing a measure of this kind last year and during the present year had been

to cause distrust among persons who were accustomed to deposit their money in savings banks. Many persons had withdrawn money who would otherwise have kept it in the banks, and many persons who would have deposited money had been deterred from placing it in the banks after what had occurred. The right hon. Gentleman the Chancellor of the Exchequer had stated that in the course of the year there had been a loss of £125,000 in the amount of interest payable to the depositors, and this loss would fall upon the public. He thought it ought to go forth to the public that the depositors would receive every farthing of their deposits, and that the loss would not in any way fall upon them further than that in future the rate of interest payable to them would be reduced. If the matter were inquired into he should be able to show that this deficiency was occasioned, first, by the action of the Government, and secondly, by what had happened years ago, for which the present depositors should not suffer. He trusted next year that the right hon. Gentleman would not bring forward a Bill of this sort in the first week of the Session only to withdraw it towards its close. He trusted that a Committee would be appointed to inquire into the cause of the deficiency, and whether that deficiency could not be met by any other way than by reducing the amount of the interest.

THE CHANCELLOR OF THE EXCHEQUER said, he would not detain the House with any lengthened statement upon this subject. As he had already stated the public had lost £5,000,000 by the savings banks; they were still losing at the rate of £100,000 per annum, and the object of the Bill was to stop that loss by reducing the rate of interest.

*Motion agreed to.*

*Order discharged; Bill withdrawn.*

#### SUPPLY—REPORT.

Resolutions [July 15] *reported.*

MR. STANSFELD explained that when the House was in Committee of Supply the other night, some Votes were taken for higher amounts than had been intended, owing to certain amended Resolutions not having been placed in the Chairman's hand. Those amended Resolutions were rendered necessary in consequence of Votes having been taken on account.

Resolutions read a second time, and amended—

(1.) £75,114, by inserting £66,614; (2.) £2,211, by inserting £1,961; (3.) £13,792, by inserting £12,292; (4.) £9,612, by inserting £8,612; (5.) £15,008, by inserting £13,258; (6.) £8,250, by inserting £7,500; (7.) £28,349, by inserting £25,349; (8.) £32,720, by inserting £28,720; (9.) £10,390, by inserting £8,640; (10.) £30,550, by inserting £27,050; (11.) £12,262, by inserting £10,762; (12.) £26,265, by inserting £23,265; (13.) £16,432, by inserting 14,682; (14.) £170,109, by inserting £153,109; (15.) £17,487, by inserting £15,737; (16.) £3,563, by inserting £3,063 instead thereof.

Resolutions, as amended, *agreed to.*

#### SHERIFFS (SCOTLAND) ACT (1853)

AMENDMENT, &c. BILL.—[BILL 191.]

(The Lord Advocate, Mr. Adam)

#### COMMITTEE.

Order for Committee read.

MR. GORDON said, he wished to call attention to some of the provisions of this Bill—which, he might remark, was not printed and circulated till the 10th of July, and there had consequently been very little time to consider its provisions, which affected the interests of numerous localities in Scotland. The object of the Bill was to unite certain sheriffdoms in Scotland. That object received the approval of the Judicature Commissioners appointed in 1868. So far as this Bill dealt with the sheriffdoms he agreed to its necessity; but the Bill further proceeded to deal with certain questions connected with sheriffs-substitute and sheriff-clerks. He thought they were not at that moment in a position to deal with these latter questions; and in fact he thought it would be necessary to introduce a Bill next Session for the purpose of regulating various matters connected with those officials. He thought, therefore, that these clauses had much better be postponed until they could deal with the whole question as to the forms of procedure and the officers connected with the Sheriff Courts.

SIR EDWARD COLEBROOKE said, it had become most important for the Government to consider how the number of sheriffs-principal and substitute might be diminished with advantage to the public service. There were certain vacancies which required to be filled up at once; but with regard to the question of sheriffs-substitute he agreed with the right hon. and learned Member (Mr. Gordon) as to the propriety of that question,



which was the more important of the two, being dealt with in another Session. He thought the general question was of too great magnitude to be dealt with at that period of the Session. He quite agreed that the question should be postponed until the Report of the Commission on Scotch Judicature had been made.

MR. DYCE NICOL said, that this Bill had been kept hanging over them for three months, causing great alarm and agitation; and now that it had been presented they had had only a few days allowed for consideration; and the Report of the Commission on Scotch Law had not yet been made. This had given great offence in Scotland. He hoped the Government would consent to confine legislation to the union of the sheriffships, as to which there was almost universal agreement.

SIR ROBERT ANSTRUTHER said, he did not concur in the sentiments of alarm of his hon. Friend. A Bill of this kind was absolutely necessary, and this Bill was conceived in a spirit of great boldness. In regard to sheriffs in Scotland many reforms were absolutely required; and this Bill dealt with some of those reforms in a bold and statesman-like spirit. The provisions objected to were absolutely necessary. If they were to have an alteration in the sheriffs' jurisdiction, they must, of course, also have an alteration in the jurisdiction of the sheriff-substitute.

MR. MILLER said, the only objection he had to the Bill was that it did not go quite far enough; but, as he understood, it would carry out almost to their full extent the recommendations of the Law Commissioners.

Bill considered in Committee.

(In the Committee.)

Clause 1 *struck out*.

Clauses 2 to 4, inclusive, *agreed to*.

Clause 5 (County of Linlithgow to be united with the county of Mid-Lothian, and the counties of Clackmannan and Kinross to be united with the county of Fife).

MR. GORDON said, he had some Amendments to propose to this clause, the general object of which was that certain counties should be united in accordance with the recommendations of the Scotch Law Commissioners. By the first four clauses certain counties were to be united according to their suggestion; but

when they came to Clause 5, a different rule applied with regard to Fife, and instead of providing that there should be a separation of the counties of Linlithgow, Clackmannan, and Kinross, as was recommended by the Commissioners, it provided that whenever a vacancy occurred in the office of the sheriff of Linlithgow, Clackmannan, and Kinross, the said counties should be disunited, and Linlithgow added to Mid-Lothian, and Clackmannan and Kinross united to Fife. The object of his Amendment was that Fife should be united to Clackmannan and Kinross, and that Linlithgow should be added to Mid-Lothian. The object of the Commissioners was to save the salary of any sheriffship which should become vacant, which was to be united to another; and that his Amendment proposed to effect. There was no reason that he could see why these counties should be dealt with on a different principle from others.

THE LORD ADVOCATE said, that the union of the counties proposed by the Bill was based upon the recommendation of the Judicature Commission. Their Report was only presented on the 14th of the present month; but having been a member of the Commission, he had an opportunity of knowing what their Report would be, and he had accordingly prepared this Bill in order to put their recommendations in force as soon as possible. In the unions proposed, the Bill did not follow the recommendations of the Commissioners in all respects, but it substantially followed them: it differed in only two particulars. In the first place, the Commissioners recommended that the existing sheriffships of the counties of Banff and Elgin should remain undisturbed; whereas, by a clause in the Bill, it was proposed that a vacancy occurring in either county, the county of Banff and Kincardine should be annexed to the county of Aberdeen. The other variance was in regard to the counties of Clackmannan and Kinross. The Commissioners recommended that Clackmannan should be united with the county of Fife—a recommendation which was not favourably received by those most interested, and he had accordingly substituted the union proposed in the Bill. However, since the Bill had been introduced, there had been a strong expression of opinion on the part of the inhabitants of Clackmannan in favour of a union with Stirling in preference to a

*Sir Edward Colebrooke*



union with Fife. He was disposed to concur in the reasonableness of their desires, and he had accordingly prepared Amendments to effect a union between Clackmannan and Stirling instead of a union with Fife. With regard to the present Amendment, the substance of his right hon. and learned Friend's complaint was that the Government had not appointed to the sheriffship of Fife the gentleman who now held the office of Sheriff of Clackmannan and Kinross. He did not intend to make the slightest reflection on that learned gentleman; but it was one thing to appoint a sheriff to a larger county, and to put under his jurisdiction a smaller county, and another to appoint a man to a small county, and then place a larger under his authority. He did not conceive it to be any disparagement to the learned gentleman who now held the office of sheriff of the smaller counties referred to to say that he was not altogether the person most likely to be selected by the Government for the Sheriffship of Fife. The course proposed was the same as had been adopted when other large and small counties were to be united—for example, Peebles and Linlithgow were to be added to Edinburgh, not Edinburgh to Peebles or Linlithgow to Edinburgh; Bute to Renfrew, not Renfrew to Bute; and Banff to Inverness, not Inverness to Banff. The Government had proposed that the Sheriffdom of Kinross should, on a vacancy occurring, be annexed to the jurisdiction of the Sheriff of Fife, but not that the Sheriffdom of Fife should, in the event of a vacancy, be annexed to the jurisdiction of the Sheriff of Kinross. In proposing that small should be annexed to large counties, instead of large counties to small ones, the Government had followed both the precedent laid down by the only previous Act relating to the amalgamation of sheriffdoms, but also the dictates of reason and good sense. In conclusion, he begged leave to inform his right hon. and learned Friend that before he (Mr. Gordon) saw this Bill the Sheriffdom of Fife was no longer vacant, and that it was not vacant at the present moment.

MR. GORDON said, he had listened to his right hon. and learned Friend's speech with very great regret. It was a most unfortunate thing that steps had been taken to fill up a sheriffdom which was the subject of a recommendation on the part of the Commissioners. With

reference to the learned gentleman who filled the office of Sheriff of Linlithgow, Clackmannan, and Kinross, he begged it to be distinctly understood that he did not hold one of the smallest sheriffships in Scotland. He occupied the office formerly filled by that renowned lawyer, Lord Moncreiff, the father of the Lord Justice Clerk; and this gentleman had discharged his duties to the entire satisfaction of those under his jurisdiction. What he complained of was that, in attempting to deal with a vacancy which necessarily fell to be dealt with by this Bill, and which admittedly had existed three months, they were told that the vacancy had been filled up, and that, therefore, they could not carry out the recommendations of the [Commissioners for effecting economy. Under these circumstances, he submitted that the Amendment ought to receive the sanction of the Committee.

SIR ROBERT ANSTRUTHER said, the real question seemed to be, whether the right hon. and learned Gentleman opposite (Mr. Gordon) or Her Majesty's Government should appoint the Sheriff of Fife. A legal gentleman of high standing had been appointed, and he hoped the Committee would support the decision of the Government.

MR. MILLER said, the Lord Advocate overlooked the fact that the combined counties of Linlithgow, Clackmannan, and Kinross formed a large sheriffship, and could not well be classed with the small sheriffships of Peebles or Bute. So far from the sheriff of the combined counties not being eligible for such a county as Fife, it was not long since a sheriff of those counties was removed to the County of Perth, one of the important counties of Scotland. This was not a personal matter—it was one of economy—by reducing the number of sheriffs in accordance with the recommendations of the Royal Commissioners. He could not see why the sheriffship of the combined counties should not embrace Fife, Linlithgow being placed under the Sheriff of Edinburgh as provided, thereby rendering a fresh appointment unnecessary. He trusted the Committee would support the reduction of the sheriffs.

MR. M'LAGAN inferred from the announcement that the vacancy was filled that the Amendment must fall to the ground; still he could not allow the discussion to close without bearing testimony to the able and efficient way in

which the Member for Linlithgowshire—he meant the Sheriff—had discharged his duties. It by no means followed because a man was sheriff of a small county that he was inefficient, and not fit to hold office in a large county; and, indeed, an instance to the contrary had just been cited. If the vacancy had not been filled up he should have supported the Amendment; but as it had been filled up there was no use in continuing the discussion.

MR. DYCE NICOL said, he must draw attention to the economy of the Government in regard to Scotland. When there was an opportunity of reducing the number of sheriffs by one, they had taken the opportunity of appointing two instead of one. He regretted exceedingly that the discussion had taken a personal turn. The gentleman referred to had been known to him many years, and he had taken a high position in the Courts of Law.

MR. BRUCE said, the effect of the Amendment, if carried, would be to revoke the appointment of a sheriff already made by the Crown. In making legal appointments, there was something else besides economy to be considered, and, without disparagement to the Sheriff of Clackmannan and Kinross, they felt it necessary to appoint a younger man to be Sheriff of Fife, and one more fit for the special work to be performed. It was with reference to fitness and not solely to economy, that the appointment was made.

MR. SOLATER-BOOTH said, he wished to know when the appointment was made?

MR. BRUCE said, it was made about a fortnight ago. The fact of the appointment was made public at the time, and when the hon. Member for Fife (Sir Robert Anstruther) put a Question to him on the subject, he stated in detail the course the Government intended to take not only with respect to Fife, but also as regarded other counties.

*Amendment negatived.*

*Clause agreed to.*

*Clauses 6 to 9, inclusive, agreed to.*

Clause 10 (Union of counties to complete as regards jurisdiction, &c. of sheriff, and powers, privileges, &c. of procurators, clerks, and officers of courts).

MR. DYCE NICOL, in rising to move the omission of the clause, said, that the powers given by this clause and Clause 12 were so large and indefinite as to

cause the greatest alarm in those counties affected as to how they would be carried out. While the reduction of the number of sheriffs was generally approved of, the feeling was equally strong that the rights and privileges of the counties proposed to be united by this Bill should be preserved, as in Clause 4 of the Act passed in 1853, *Vict.* 16 and 17, c. 92, the insertion of which he proposed to move in the Bill. There would be no objection, he thought, to the united counties being divided into districts, with a resident sheriff-substitute in each county town; and when he mentioned that the criminal business devolving on the sheriff-substitute resident in Stonehaven exceeded that of the same officer in Aberdeen and Peterhead, arising from a large portion of such being done by the municipal magistrates, of whom there were none in Kincardineshire, and that of the 33 counties in Scotland, 22 had fewer trials with jury than that county, the Committee would see, he hoped, that the residence of the sheriff-substitute should be fixed by statute in such a town, but authorizing him to devote a considerable portion of his time to the judicial business of Aberdeenshire. He might also mention that, in several of our county towns, there were recently erected expensive Court-houses, and there was a society of procurators who had settled on the faith of a continuance of a Court there, and that he trusted that the Committee would not, without full consideration, interfere in any manner with the interests of those gentlemen. There was also no allusion to the Commissary Courts; and it was not stated whether the extended jurisdiction of the sheriff and the privileges of the procurators were to extend to those Courts as well as to those of the sheriff. He had every confidence that the Secretary of State for the Home Department would do nothing to interfere with the convenience of all parties, but endeavour to facilitate the administration of justice; however, the recent economical experiments in the Courts of Justice in England naturally made the public nervous as to leaving such powers, as given by these clauses, in the hands of Government free from all Parliamentary control. This Bill respected the rights of sheriffs, and, by a new clause, the Lord Advocate took powers to give them increased salaries; but while the sheriffs-substitute had to un-

*Mr. Mc Lagan*



dertake additional work and to accept of a complete change of the conditions under which they accepted office, there was no provision for increase of remuneration to them. It was acknowledged how necessary it was for the general management of our county business that we should have a resident magistrate in each county town. For these reasons, unless the right hon. Gentleman could propose any mode by which the individuality of the counties affected was preserved, and the convenience and interests of the inhabitants protected, he should go to a Division for the rejection of these clauses.

MR. LOCH supported the Amendment, not so much because he thought the clause under discussion would confer objectionable powers, as because the clause would, if passed in conjunction with the clause following it, fail altogether to carry out the wishes of the people of Scotland in relation to the subject-matter of the whole Bill. So far the Bill had dealt with a view of the question upon which the people of Scotland were unanimous—namely, the reduction of the number of sheriffs, and grouping certain counties together. But that Bill took care to preserve the individual jurisdiction of the several counties, and the convenience of the public was considered by the sheriffs going to convenient places in each county and holding Courts in such places as were nearest to the persons having causes to be tried. The present proposal would produce an entirely different state of things, and would act in a manner prejudicial to the general body of the suitors; and therefore if the Government thought it necessary to make such a division of counties as was proposed by the clause, they ought to bring in a separate Act of Parliament for the purpose. He should support the proposition to omit the clause.

Amendment proposed, to leave out Clause 10.—(*Mr. Dyce Nicol.*)

MR. GORDON said, the discussion had turned upon the question of the suppression of certain offices, and he had in the abstract no objection to such suppression, so soon as existing life-interests should have come to an end; but he objected to the proposition of the Bill for the reason that it dealt with the question in far too general a way, and would produce many difficulties in its carrying out. He had expected that the hon. and learned Lord Advocate would have in-

serted some provision in order to have made his clause more generally acceptable. He thought it would be necessary that there should be a special Bill brought in for the purpose of regulating the proceedings before the Sheriff Courts; and it would follow, as a necessary portion of such Bill, that arrangements should be made with regard to the sheriff-clerks, who would be left on the same footing as that upon which they were left by the Bill of 1863. Great difficulties would arise from the appointment of the three sheriff-clerks—for who could tell for which of the amalgamated counties he was to act? He thought that the Committee should agree to the clauses which had been already passed, and refer the other question to future consideration. The power proposed to be given to the Secretary of State was one which he did not think such an officer ought to possess.

MR. M'LAREN thought it would be unwise to stop the Bill at its present stage, as Clause 10, and that which followed, formed, in his opinion, the most valuable part of the Bill.

MR. ORR EWING said, he was not surprised to hear his hon. Friend the Member for Edinburgh (Mr. M'Laren) approving this portion of the Bill, for his hon. Friend held rather extraordinary views as to the powers of the Government in general. He thought that this was not the time at which to legislate upon this subject. A Commission, appointed two years ago, had taken most voluminous evidence, and had reported thereon to the House, but the Report had not yet been published; and therefore he thought the Bill—or at least these provisions of the Bill—would have been advantageously left till next year, when public opinion and the opinion of the House would have ripened with regard to it.

THE LORD ADVOCATE said, he had quite failed to find in the observations that had been made any real objection to the clause under discussion. A great deal had been said about certain large powers proposed to be given to the Secretary of State and on the subject of a Bill to be introduced in next Session in order to regulate the procedure in Sheriff Courts; but he begged to say that the Bill conferred no power upon the Government, and did not propose to abolish any office whatsoever. The inconvenience



arising from the omission of a similar power from the Act passed about 10 years ago had been greatly felt, and he had therefore prepared this clause. The clause was necessary in the interest of the public, and he hoped the Committee would agree to it.

*Amendment negatived.*

*Clause agreed to.*

Clause 11 (Courts to be held, and duties to be discharged by sheriffs.)

MR. GORDON moved to insert words to provide that sheriffs, whether appointed before or subsequent to the passing of the Act, should be relieved from the duty of attending sessions. The clause, as it stood, was entirely opposed to the recommendations of the Commission, and he wished to restore it to the form so recommended by removing the necessity on the part of sheriffs to attend who were not counsel practising in the Courts in which, as they now stood, they were compelled to attend. The Report made by the Commission in 1834 was favourable to the view which he took; but, at the same time, he thought the question might well be left to come up in the Bill which must be brought forward very early in order to rearrange and readjust the procedure of the Sheriff Courts.

THE LORD ADVOCATE said, he thought the provision as it stood was a salutary one for the reason that it provided for the cases of sheriffs who were not practising barristers, and did not render it compulsory to attend the Courts or to perform an operation very like a forced march through Westminster Hall during the whole of the time when the Courts were sitting.

MR. M'LAREN said, it was well known that a large number of sheriffs did not practise at the bar, and therefore he did not think it right they should be compelled to attend Courts.

*Amendment agreed to.*

*Clause, as amended, agreed to.*

Clause 12 (Courts to be held and duties to be discharged by sheriff's substitute.)

MR. DYCE NICOL, in pursuance of his previous Notice, moved to omit the clause.

Question put, "That the Clause stand part of the Bill."

The Committee divided:—Ayes 65; Noes 36; Majority 29.

*The Lord Advocate*

THE LORD ADVOCATE said, he would propose after Clause 6, to insert a new clause (Counties of Wigtown and Kirkcudbright to be united with the County of Dumfries).

*Clause brought up and read a first time.*

SIR JOHN HAY said, he desired to make a suggestion with reference to this clause. At present the counties of Wigtown and Kirkcudbright, in the district of Galloway, formed one sheriffdom, but it was now proposed to unite them with the county of Dumfries in one sheriffdom. He thought a better arrangement might be made by uniting the county of Kirkcudbright to the county of Dumfries, and the county of Wigtown to the county of Ayr. The county of Kirkcudbright and the county of Dumfries had one militia regiment, and they had many other things in common; and the counties of Wigtown and Ayr had also many things in common which Wigtown had not in common with Dumfries. In addition to that he might mention that very recently Her Majesty's Government appointed a noble relative of his to the Lord-Lieutenancy of the county of Ayr, he being already Lord-Lieutenant of the county of Wigtown—the militia regiment, the buildings for the militia, the Lord-Lieutenancy, and various other matters being in common for the two counties. He thought the various local interests would be better considered by uniting Wigtown with Ayr and Kirkcudbright with Dumfries, than by the proposed arrangement which was here suggested. He felt convinced that the best arrangement for public business would be that which he had indicated. Three counties were too much for one sheriff to manage—at election times impossible. It would be inconvenient for him to propose an Amendment to that effect at this stage of the Bill; but if, on further inquiry, the learned Lord Advocate found it convenient and agreeable to make this change, perhaps he would do so on the Report. He believed it would be for the convenience of the inhabitants of that part of the country to make the change.

THE LORD ADVOCATE said, he should be happy to consider the suggestion upon the Report. In the meantime it was proper to state that the union proposed in the clause was that which had been suggested by a Royal Commission.

Remaining clauses agreed to; Bill reported; as amended, to be considered upon Thursday.

#### GLEBE LOANS (IRELAND) BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to amend the Act of the first and second years of the reign of his late Majesty King William the Fourth, chapter thirty-three, in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes in Ireland, ordered to be brought in by Mr. CHICHESTER FORTESCUE, Mr. STANSFELD, and Mr. SOLICITOR GENERAL for IRELAND.

Bill presented, and read the first time. [Bill 222.]

#### MARRIAGES (IRELAND) BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to provide for the administration of the Law relating to Matrimonial Causes and matters, and to amend the Law relating to Marriages in Ireland, ordered to be brought in by Mr. CHICHESTER FORTESCUE and Mr. SOLICITOR GENERAL for IRELAND.

Bill presented, and read the first time. [Bill 223.]

House adjourned at half after  
Two o'clock.

### HOUSE OF LORDS,

Tuesday, 19th July, 1870.

MINUTES.]—PUBLIC BILLS.—*Second Reading*—Telegraph Acts Extension\* (206); New Zealand (Guarantee of Loan) (207).

Committee—Medical Officers Superannuation (169).

Report—Public Health (Scotland) Supplemental\* (217); Liverpool Admiralty District Registrar\* (218).

Third Reading—Petty Customs (Scotland) Abolition\* (205); Passengers Act Amendment\* (176), and passed.

Withdrawn—Bankrupt Law Amendment (Ireland) (117).

#### BANKRUPT LAW AMENDMENT (IRELAND) BILL—(No. 117.)

(The Marquess of Clanricarde.)

ORDER FOR THIRD READING DISCHARGED.

Order of the Day for the Third Reading read.

THE MARQUESS OF CLANRICARDE said, that he proposed to move that the Order for the Third Reading be discharged; but in doing so he desired, nevertheless, to impress on their Lordships the importance of the object of

the measure—which was to bring non-traders under the operation of the Bankruptcy Law, a principle which worked well in England, and, as had recently been ruled, was applicable even to a Member of their Lordships' House. At a time when a feeling in favour of the repeal of the Union was growing in Ireland, it was very impolitic to neglect questions which were of great importance to business men, who never engaged in any agitation, for such neglect would be made use of as a proof that the British Parliament did not attend to the interests of Ireland. He hoped the noble and learned Lord on the Woolsack would give him an assurance that this question would be taken up early next year by the Irish Law Officers.

THE LORD CHANCELLOR said, he was glad the noble Marquess proposed to withdraw the Bill. The new English Bankruptcy Law had not yet been sufficiently tested to show how far it was desirable to extend it to Ireland; and the present Bill, having for its object the extension of the old law to non-traders, would give increased scope to a provision which was found very fruitful in fraud in England—namely, that which enabled persons to become bankrupts on their own petition. Having had no opportunity of communicating with the Irish Law Officers, he could give no promise that the Government would bring in a comprehensive measure next Session; and Parliament having for two Sessions been a good deal occupied with Irish questions, he was not sure that the task could be then undertaken. He trusted, however, that if it were taken up it would be dealt with in a comprehensive manner, whether as regarded traders or non-traders.

Motion agreed to.

Order for the Third Reading discharged.

#### MEDICAL OFFICERS' SUPERANNUATION BILL—(No. 169.)

(The Marquess of Salisbury.)

COMMITTEE.

House in Committee (according to Order).

THE MARQUESS OF SALISBURY said, that the object of the measure was to extend to medical officers who had not devoted their whole time to the parish the power of retiring on a pension, with



the consent of the guardians, if 60 years of age or infirm. This provision was at present confined to officers who had given their whole time to the parish; but the former were, in general, a far higher class, whom it was desirable to encourage in taking these offices. Moreover, the poor were injured by the continuance in office of infirm or aged men. In order to prevent corrupt arrangements, and in deference to the objections of his noble Friend (the Duke of Richmond), he would propose an Amendment providing that a medical officer desiring to retire on a pension should satisfy the Poor Law Inspector or some person appointed by the Poor Law Board as to the grounds of his retirement.

Amendment *moved*, to insert the following clause:—

“No pension shall be obtained by any person under this Act on the ground of permanent infirmity of mind or body unless the Poor Law Inspector of the district, or some person authorized in that behalf by the Poor Law Board, shall have first certified that in his opinion such officer has by reason of such infirmity become incapable of performing the duties of his office with efficiency.”  
—(*The Marquess of Salisbury*.)

THE DUKE OF RICHMOND admitted that the Amendment of his noble Friend went a long way towards meeting his objections to the Bill. His objection was, that to require the medical officers to devote the whole of their time to the duties of their post was a proposal vicious in principle; and the Amendment did not altogether provide a remedy. He should not, however, offer any further opposition to the Bill.

Amendment *agreed to*.

The Report of the Amendment to be received on *Thursday* next.

#### NEW ZEALAND (GUARANTEE OF LOAN)

BILL—(No. 207.)

(*The Earl of Kimberley*.)

SECOND READING.

Order of the Day for the Second Reading, read.

*Moved*, “That the Bill be now read 2<sup>d</sup>.”  
—(*The Earl of Kimberley*.)

EARL GREY said, that of all modes of assisting a Colony the guarantee of a loan was the worst. Most of the Colonies had shown a disposition to abuse their powers of borrowing money, and New Zealand itself was a striking in-

stance of this. It was all very well to say that a guarantee cost this country nothing. A young man was urged on a like plea to back a bill for a friend. Moreover, if a guarantee was given to one Colony why not to another? He strongly objected to the Bill.

THE EARL OF CARNARVON said, that as he had himself on one occasion, while expressing his preference of military aid, suggested the guarantee of a loan, he could not be said to be entirely opposed to them. On the occasion to which he referred the noble Earl opposite (Earl Granville) took him to task for so doing, and laid down a series of admirable economic principles, in which he urged that it was unwise and altogether objectionable to guarantee loans to our Colonies, and said that it was very much against the interests of the Colonies themselves that they should be encouraged to borrow, and the noble Earl proceeded to say that had he given a guarantee to New Zealand the Colony would have been burdened with an additional debt of £1,500,000; and that its future credit would thereby have been injured. In that remark he (the Earl of Carnarvon) quite agreed, and he could not help asking what there could possibly be to induce him two months after making that statement to depart from so sound a principle. Having been charged by the noble Earl with exaggeration when on a former occasion he dwelt on the serious danger of some great catastrophe through our policy towards New Zealand, he wished to justify himself by reference to a Memorandum of the Colonial Minister of New Zealand which had since been published. The Memorandum stated substantially the result of that decision was that the Imperial Government virtually retired from the great colonizing work which it had undertaken; that it told the colonists and Natives to do what they liked, for it had ceased to care what might happen; that it even refused to leave troops if the Colony paid for them, on account of the contingencies which this would involve; and that New Zealand was thus told that it had ceased to be a part of the Empire. It added that the Assembly would possibly think that on so important a matter as the severance of a Colony from the Empire the Imperial Legislature should express an opinion, and that possibly the course of

*The Marquess of Salisbury*



public opinion, already in a measure expressed, would induce Her Majesty's Government to regret the invitation to New Zealand to leave the Empire implied in the noble Earl's despatch. Now, he pronounced no opinion on this Memorandum, which was somewhat voluminous, but their Lordships could read it for themselves if they desired; but he referred to it in order to show that in stating that we were on the verge of a serious catastrophe in New Zealand he did not outstep the limits of truth and was guilty of no exaggeration.

LORD LYVEDEN said, he had always contended that the Colonies should govern themselves, fight their own battles, and pay their own expenses, and he approved the withdrawal of the troops from New Zealand, as their presence tended to promote war with the Natives and harsh conduct on the part of the settlers—just as their presence in Canada encouraged, if it did not excite, the notion of some persons in the United States that they should attack that Colony. He objected also, as a rule, to guarantees, because in many instances they had been improperly applied; but this, being for the specific and pacific purpose of making roads, which it was true might be advantageous in case of war, but which likewise extended civilization and improvement, and promoted intercourse with the Natives, was of an exceptional character. The present state of New Zealand, which encouraged us to anticipate for it a peaceful and prosperous career, was a triumphant refutation of the charges and animadversions which had been directed at his noble Friend (Earl Granville)—especially by the noble Earl opposite (the Earl of Carnarvon). There could not be a greater mistake than to suppose that our present colonial policy implied any desire for separation. He believed, on the contrary, that self-government would unite the Colonies to us more closely than any other policy; and that, with the love of independence which Britons in all parts of the world should possess, they would be thankful to us for pursuing such a policy. He presumed the Memorandum mentioned by the noble Earl had not been printed in the Blue Books? [The Earl of CARNARVON intimated that it had not.] In that case, as it was an important document, he hoped his noble Friend would lay it before the House.

EARL GRANVILLE admitted that his noble Friend (Earl Grey) had always consistently objected to the guarantee of colonial loans. He was also, however, the advocate of an opinion which had not been entertained by Governments for many years, and he believed was not held by the country at large—namely, that we should retrench the liberty we had given to our self-governing Colonies, in order to assume greater control over their affairs than of late years we had done. As to the refusal of military assistance, he was excused from defending it by the remarks of his noble Friend (Lord Lyveden), or it would be easy to show that the noble Earl (the Earl of Carnarvon) was not perfectly consistent with himself. He wrote last autumn a letter to *The Times* advocating the guarantee of a loan without reference to any specific expenditure, military or otherwise. Now, this would have been a direct encouragement to the Colony to continue their proceedings against the Natives, instead of adopting the policy which had answered so well—that of limiting the war to the greatest degree, and cultivating friendly relations with the great majority of the Natives. For his own part, he was bound to say that, absolutely and in point of consistency, he could not defend this guarantee; but as an exceptional measure it was perfectly defensible and desirable. The definitive carrying out of the policy of withdrawing the troops, which had been the object of many successive Secretaries of State, naturally caused irritation in the Colony, as the withdrawal of privileges usually did; and the conviction of the colonists that they were very much ill-used was materially strengthened by violent letters and speeches in this country, which described our object as that of cutting them off from the mother country. Indeed, he must say that this feeling was not without some encouragement from the letters and frequent speeches of the noble Earl. In that state of things the colonial Ministers wrote the Memorandum referred to by the noble Earl, containing vague menaces as to the future which he never for a moment believed, notwithstanding the encouragement they received in England, they would think of putting into effect. He would, however, rather not go into a discussion on this subject, which would re-open sores

which it was the object of this small guarantee to heal. It was desirable to employ the friendly Natives, who had behaved admirably as soldiers, in some useful occupation, such as making roads and public works, thus not only developing the resources of the country, but tending to pacify it. The Government, therefore, after much consideration, decided that this was an exception to the rule which they might fairly propose to Parliament as a graceful concession, which would soothe the somewhat acrimonious feelings which had attended the carrying out of our policy as regarded New Zealand.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday next.

House adjourned at Six o'clock, to Thursday next, a quarter before Five o'clock.

## HOUSE OF COMMONS,

Tuesday, 19th July, 1870.

MINUTES.]—SUPPLY—considered in Committee—Resolutions [July 18] reported.

PUBLIC BILLS—Resolution in Committee—Ordered—First Reading—Canada Defences (Guarantee of Loan)\* [225].

Ordered—Militia Pay\*.

Ordered—First Reading—Local Government Supplemental (No. 4)\* [226]; Epping Forest\* [227]; Foreign Enlistment\* [228]; Greenwich Hospital\* [229].

Second Reading—Ecclesiastical Dilapidations (No. 2)\* [224].

Committee—Report—Sewage Utilization Supplemental\* [201]; Exchequer Bonds (£1,300,000)\*.

Considered as amended—Elementary Education [218], debate adjourned; Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment\* [208].

Third Reading—Vestries (Isle of Man)\* [198]; Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* [205]; Pier and Harbour Order; Confirmation (No. 3)\* [210]; Ecclesiastical Patronage Transfer\* [160], and passed.

The House met at Two of the clock.

## IRELAND—BANKS OF THE IRISH COAST, QUESTION.

MR. GRAVES said, he wished to ask the Secretary to the Board of Trade, if he has received information from the Ballast Board that important changes

have taken place in the banks of the Irish Coast between Tuskar and Dublin; and, if so, whether the attention of the Admiralty has been called to the same, with the view of having them promptly re-surveyed?

MR. SHAW LEFEVRE said, in reply, that the Commissioners of the Irish Lights had informed the Board of Trade that the commander of their vessel employed in the lighthouse service had reported some alterations of the banks between Tuskar and Dublin from those laid down in the Admiralty charts. The subject was now under the consideration of the Admiralty, and the Irish Lights Commissioners had been requested to give more detailed information as to the changes.

## CHRISTMAS DAY.—QUESTION.

MR. PEMBERTON said, he would beg to ask the Secretary of State for the Home Department, Whether, inasmuch as Christmas Day this year falls on Sunday, the Government will bring in a short Bill to authorize the closing of the Bank of England and other Banks on the day before or the day after Christmas Day, and thus insure a holiday to the numerous persons employed in such establishments?

MR. BRUCE, in reply, said, he regretted very much that clerks and others would lose the holiday to which they were accustomed; but he did not think it would be consistent with the public convenience that he should bring in a Bill for the purpose referred to at that period of the Session.

## LAND TRANSFER ACT.—QUESTION.

MR. CUBITT said, he would beg to ask the Secretary of State for the Home Department, Whether Her Majesty's Government contemplate carrying out the recommendation contained in the Report of the Royal Commissioners appointed to inquire into the operation of the Land Transfer Act, and the present condition of the registry of deeds for the county of Middlesex, in favour of the discontinuance of that office; whether any steps have been taken by the registrars since the publication of that Report to adopt one uniform system of fees, and to reduce the fees charged to a scale in accordance with the law; whether the registrarship vacant since 1867, and

Earl Granville



in the gift of the Chief Justice of the Queen's Bench still remains vacant, and whether there is any intention of filling up that office; and, under what authority the emoluments of the vacant registrarship have been divided between the two surviving registrars, and if he can inform the House what additional emoluments have been in consequence received by the holders of these offices, and what was the net sum received by them in 1869?

MR. BRUCE said, in reply, that the Land Transfer Bill, now in the House of Lords, provided for the closing of the Middlesex Registry. No alteration in the fees taken in the Middlesex Registry had been made since the publication of the *Land Transfer Report*. The vacant registrarship had not been filled up by the Chief Justice, and there was no intention of filling it up; the Chief Justice understanding that it was the wish of the Government and the House of Commons that the office should remain vacant. The effect of this vacancy had not as yet been of any public benefit. The fees were of fixed amount, and were divisible among the registrars, and a vacancy only left a larger sum divisible among them. It appeared that the Act of Queen Anne, constituting the Registry, gives the fees to the registrars; who accordingly divide the total amount among themselves, subject to the deduction of one-fourth, which under 23 & 24 Vict. c. 21, was paid to the Queen's Remembrancer, to be by him accounted for to the Treasury. In 1869 additional emoluments to the amount of £640 were received by each registrar and the Treasury on behalf of the Queen's Remembrancer, and the nett sum received by each registrar and the Treasury was £2,561 14s. 3d.

#### THAMES EMBANKMENT.

HER MAJESTY'S ANSWER TO ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord OTHO FITZGERALD) reported Her Majesty's Answer to Address [8th July] as follows:—

*I have received your Address, praying that I will give directions that no Public Offices be erected on that portion of the Thames Embankment, which is reserved to the Crown, and which has been reclaimed from the River at the cost of the Ratepayers of the Metropolis.*

*As no Public Office can be erected on the ground in question without a Vote of Parliament, the House has in its own hands the means of giving effect to the prayer of the Address, and My Government will not ask for such a Vote, unless they should have reason to suppose that it is likely to meet with the approval of the House.*

*If the Address were intended to exclude all employment of the land for profit by building, it would be necessary to observe, that the property was granted by a recent Act in exchange for valuable interests; that such a limitation of its use would appear not to have been within the contemplation of the Statute, and that if fit to be effected, it ought to be imposed by the authority of the Legislature, in a Bill for the purpose, which would give opportunity for the examination of the whole case in its present and prospective bearings.*

*Should such a Bill be proposed for consideration on its merits, I will give directions that its free discussion shall not be hindered by any formal difficulty which it may be in the power of the Crown to remove, nor will any step be taken during the current year to appropriate the land, or interfere with the final decision of the question.*

#### FRIENDLY SOCIETIES.

HER MAJESTY'S ANSWER TO ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord OTHO FITZGERALD) reported Her Majesty's Answer to Address [8th July] as follows:—

*I have received your Address praying that a Commission may be issued to inquire into the existing state of the Law relating to Friendly Societies.*

*And I have given directions that a Commission shall issue for the purpose which you have requested.*

#### ELEMENTARY EDUCATION (re-committed)

BILL—[BILL 218.]

(Mr. W. E. Forster, Mr. Secretary Bruce.)

CONSIDERATION.

Bill, as amended, considered.

MR. DICKINSON rose to move a new clause. He explained that there were many parishes large enough to maintain one good school but not to maintain two; that in most of them the Church of England school was the largest and best; that conditions imposed by deed upon the managers drove the minority of Dissenters to set up a rival school; and that it was desirable to enable the managers to get rid of these



conditions, and so concentrate the pecuniary resources of the place, economize teaching power, and improve the character of the education for all the children. With this object he moved to insert, after Clause 22, the following clause:—

(Alteration of regulations affecting managers, &c.)

“The managers of a public elementary school may, with the sanction of the Education Department, and with the consent of all parties whose consent may be required by the Education Department, alter any regulations to which the management of such school may be subject, attaching any special qualification or disqualification to the office of a manager or teacher of such school, or giving any person not being a teacher any special superintendence or authority in the management or teaching of such school.”

Clause *brought up*, and read the first time.

MR. GATHORNE HARDY said, he would like to know what the right hon. Gentleman the Vice President thought of this clause? To him it seemed to be altogether unnecessary, regard being had to the provision contained in the 22nd clause.

MR. W. E. FORSTER said, he could not say that the clause was necessary; but neither did he think it would be injurious. It seemed to him that the 22nd clause, taken in connection with the 24th clause, was sufficient for the purpose. At the same time, he saw no objection to the clause.

Motion made, and Question put, “That the said Clause be now read a second time.”

The House *divided*:—Ayes 86; Noes 53; Majority 33.

Clause read a second time, and *added*.

SIR GEORGE JENKINSON rose to move the following clause:—

(Exemption from rating.)

“In any case where a Public Elementary School exists at the time of the passing of this Act, in any duly constituted ecclesiastical district, and where such school fulfils all the conditions required by this Act as to management and efficiency, and is sufficient for the wants of the district, and where such school has been built and maintained, and continues to be maintained by private and voluntary funds (except the amount derived from the children's pence, and the Government Grant in aid), the person or persons who thus maintain such school in an efficient state by such voluntary funds, shall not be liable to be rated in respect of any land or property within such district to the support of any other school in any other part of the same parish.”

He was anxious to make one more ap-

peal to the right hon. Gentleman the Vice President of the Council to mitigate the stringency of the power of rating by the adoption of the principle of this clause. If his right hon. Friend would give this subject his full consideration, he would see the clause would not injure the object of the Bill, but would render it more efficient. If it were rejected, the effect would be that a vast number of the voluntary schools now in the kingdom would be extinguished. He would put a case—which he knew to be no imaginary one—of a parish which was divided into three parts, and each of the outlying districts had provided for itself a new church and school. These schools fulfilled all the requirements of this Bill; they were for the education of the children in their district, and were in no sense private schools. What he proposed was that these outlying districts, being thus provided with schools in the full meaning of the Act, should not be called upon to pay the rate necessary for the central part of the parish, in which case they would be called upon to pay the school rates twice over. In that case he was afraid the parties who had hitherto supported the schools in the separated ecclesiastical districts would withdraw their subscriptions and leave those schools to be supported by the rates, when they would have less to pay than they now did in subscriptions.

Clause *brought up*, and read the first time.

MR. W. E. FORSTER said, he hoped the hon. Baronet would excuse him if he declined to enter at any length again into the argument why he could not accept this clause. It had been debated over and over again, and they could not renew the argument on its present stage. The question of dividing parishes had been debated, and it had been decided that in this matter of education it was impossible to depart from the ordinary definition of parishes. The question of exempting the subscribers to voluntary schools had been discussed on the Motion of the right hon. Gentleman opposite (Sir Charles Adderley), and it was found that there was an almost unanimous feeling of the Committee against it. According to the hon. Baronet's proposal a man might escape the rate altogether by giving a mere nominal subscription to a voluntary school.

*Mr. Dickinson*

MR. CANDLISH said, if these subscribers to the voluntary schools were to be exempted from the rates, then the schools would practically become rate-aided schools.

SIR CHARLES ADDERLEY said, that it was unjust to make the subscribers to a voluntary school liable for the rates as well. It had been said that private charity did not exempt a man from the poor rates; but he might remark that poor rates had a tendency to dry up the sources of private charity; and he was satisfied that the tendency of this Bill, as it stood, was to convert all the voluntary schools of the country into rate-aided schools.

MR. MELLY said, he thought the operation of this Bill would be the reverse of drying up the streams of private charity. He believed that the power of control which the managers of voluntary schools had over them would always induce wealthy and benevolent persons to support them.

SIR MICHAEL HICKS-BEACH said, he hoped his hon. Friend would press this clause to a Division. He believed that if some such provision as the clause pointed to were not made, the voluntary schools in the kingdom would soon be dried up. As to the statement that this clause would allow those who gave a merenominal subscription to be exempted from the rates, he did not think that would follow from the clause, which was drawn up in a very stringent manner.

LORD HENLEY said, that if the district was already provided with the means of education there would be no need for a rate.

SIR GEORGE JENKINSON explained that his clause referred to a divided parish, where one division had done its duty and the other had not; and the object of his clause was that the division which had done its duty should not be called on to contribute for the division which had not.

MR. COLLINS supported the clause. Suppose the not very uncommon case of a parish containing two outlying townships, with an agricultural district between the two towns, which had little in common between them except the accident of being included in the same parish—in such a case they ought to be treated separately.

MR. DIXON said, he hoped the Government would not consent to the clause. They had heard much of the benevolence and charity of the subscribers to the voluntary schools, and he, for one, was willing to believe in that charity; but it would appear, from the arguments of hon. Gentlemen opposite, that that charity was only a pretext to escape the rates.

MR. J. G. TALBOT said, the hon. Gentleman did not understand the clause. It had nothing to do with individual subscriptions. What the clause provided for was this—that where a district was, or was declared by the School Commissioners to be, sufficiently provided with education, that district should not be called to help another district that had not done its duty, simply from the fact that both were included in one parish.

MR. ASSHETON CROSS reminded the right hon. Gentleman the Vice President of the Council that this was the very difficulty that used to occur in church rates. It was the constant complaint of an outlying district that when they had provided a church for themselves they were still called upon to provide church rates for the mother church. The same injustice, substituting a school rate for a church rate, was about to be perpetrated under this Bill.

Motion made, and Question put, “That the said Clause be now read a second time.”

The House divided:—Ayes 70; Noes 120: Majority 50.

MR. M'ARTHUR moved, in Clause 8, page 4, at end of clause, add—

“Provided there shall be in every district one such school which is conducted in accordance with the regulations contained in the 1st and 2nd sub-sections of Clause 7 of this Act.”

The effect would be that if there was one school only in a district it would not come under the operation of the Bill.

Amendment proposed,

In page 4, line 5, after the word “district,” to insert the words “Provided there shall be in every district one such school which is conducted in accordance with the regulations contained in the 1st and 2nd sub-sections of Clause 7 of this Act.”—(Mr. M'Arthur.)

MR. W. E. FORSTER observed, that the proposal had already been fully discussed. No school would receive any Parliamentary Grant which did not ac-

[Consideration



cept the conditions of the 7th clause in reference to the Conscience Clause. The penalty on such a school would be that it would receive no public money, and they might rely on it that there would be very few such schools.

MR. VERNON HARCOURT said, there might be but one school in the parish, and that without a Conscience Clause, and he asked where was the justice of requiring the children of Dissenters to attend that school or no school at all? He wanted some security that there should be a public elementary school in every district, with a Conscience Clause.

MR. WINTERBOTHAM asked if a child could be compelled to attend a non-efficient school?

MR. W. E. FORSTER replied, that no child could be compelled to attend any but a public elementary school. The responsibility would be on the Education Department to refuse aid to an unsuitable school.

LORD JOHN MANNERS said, he hoped the Government would not accept the Amendment. By doing so they would be practically ignoring 5,000 or 6,000 schools now giving a sound education to the poor children of the country, and which had been so long engaged in that excellent work.

Question put, "That those words be there inserted."

The House divided:—Ayes 66; Noes 168: Majority 102.

MR. STEVENSON moved, in Clause 11, line 8, after "board," insert "or with respect to any borough by the Council." As the clause now stood the parties to put the Act in motion by applying to the Education Department were the ratepayers, who were to select the school Board. He proposed that it should be left as it stood originally in the Bill, and that in any borough the Town Council should have power to put the Act in motion.

MR. W. E. FORSTER said, he was quite willing to accept the Amendment as an alternative. It was very desirable to leave the initiative in the hands of the parishioners, and it might be beneficial to give the initiative also to the Town Council in boroughs.

Amendment, as amended, agreed to.

*Mr. W. E. Forster*

MR. M'ARTHUR moved, in Clause 14, page 6, line 4, after "regulations," insert—

"Provided always, That no person whatever except the school teacher shall give religious instruction in the school, and that no clergyman or minister of any religious denomination or member of any religious order shall be eligible to be appointed a school teacher."

The great object of the Bill, as he understood it, was to give unsectarian education in rate-aided schools; but it would be impossible to give that education if those who were in Holy Orders or the ministers of various denominations were allowed to take their rank as teachers in these schools.

Amendment proposed,

In page 6, line 4, after the word "regulations," to insert the words "Provided always, That no person whatever except the school teacher shall give religious instruction in the school, and that no clergyman or minister of any religious denomination or member of any religious order shall be eligible to be appointed a school teacher."—*(Mr. M'Arthur.)*

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER said, he hoped the hon. Gentleman would not press his Amendment. It related to a point which the Department would have to consider; but if this Amendment were inserted in an Act of Parliament, it might lead to a great deal of inconvenience. The first part of the Amendment must be left to the discretion of the school Boards; and as to the second part it was very difficult indeed to define what was a minister, for Wesleyan local preachers and members of the Society of Friends, who followed secular occupations and also addressed their co-religionists on the Sabbath, might be said to be ministers, and yet could hardly be considered unfit to act as school teachers.

Amendment, by leave, *withdrawn*.

MR. CAWLEY moved, in Clause 16, line 29, to leave out—

"And every act or omission of any member of the school Board, or manager appointed by them, or any person under the control of the Board, shall be deemed to be permitted by the Board,"

in line 32, inclusive. This would be a final clause, and if the principle contained in these words were admitted into our legislation we should sap the foundations of every Board and Council acting in the nature of a corporate body. Without these words the clause gave absolute



power to the Education Department to decide on any question as to whether a school Board had or had not complied with its regulations. If these words remained the school Board would be at the absolute mercy of any manager, teacher, or single member of the Board who chose of his own free will to violate the rules laid down by the Education Department. If the rules were broken by any such person, even against the wishes of the school Board, that Board would be held to be in default, and could be ousted from their place.

Amendment proposed, in page 6, line 29, to leave out from the word "and" to the word "board," in line 32, both inclusive.—(*Mr. Cawley.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. FORSTER said, he was informed that the retention of the words referred to was absolutely necessary in order to work the clause. The school Board must be held to be responsible for the acts of their servants; if not, it would be very easy for any school Board to defeat the clause altogether.

LORD JOHN MANNERS said, the clause as it stood went further than merely to make the school Board responsible for the acts of its servants. It made the whole Board responsible for the acts of every single member.

MR. HENLEY said, this curious state of things might result if the clause remained in its present shape: if a manager did anything in absolute contradiction of the orders and will of the school Board, that Board would be held to have sanctioned and approved it. How, then, could a school Board dismiss a manager for doing that which an Act of Parliament declared they had sanctioned?

MR. BRUCE said, no advantage would be taken of a school Board in a case like that.

MR. GATHORNE HARDY said, there was no option in the matter. The word "shall" made the clause imperative, and not optional.

Amendment, by leave, *withdrawn*.

MR. CANDLISH moved, in Clause 20, page 8, lines 4 and 5, to leave out "in the month of November." As the clause stood no proceedings could be taken under the Act to acquire land

compulsorily, except in the month of November. The adoption of his Amendment would enable the preliminary steps to be taken in such a case at any time.

MR. W. E. FORSTER said, he would accept the Amendment.

Amendment *agreed to*.

MR. CAWLEY moved, in Clause 22, page 11, to leave out lines 13, 14, and 15. The objection to the clause was that as it stood it was in the power of the managers of a school to transfer the school to the school Board without the sanction of the trustees in whom the school might be vested. In the great majority of cases the school managers had merely been created by the Revised Code for the purposes of the annual grant, and it was not reasonable to give them the power of overriding the trustees.

Amendment proposed, in page 11, line 13, to leave out from the word "The" to the word "Section," in line 15, both inclusive.—(*Mr. Cawley.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. FORSTER said, it would be difficult to work the clause without the retention of the words which were proposed to be left out. He would, however, endeavour to meet the views of the hon. Gentleman in another way by inserting the words—"after the expiration of six months."

Amendment, by leave, *withdrawn*.

Amendment, as amended, *agreed to*.

MR. CAWLEY moved to leave out all the words from line 29 to line 34 inclusive, on the ground that they gave to the managers of a voluntary school—whether the legal interest in the school-house or endowment was vested in them or in some person as trustee for them or the school—absolute power to convey to the school Board all such interest in the school-house or endowment as was vested in them or in the trustee. He greatly objected to giving such a power to an undefined body of managers, who might be here to-day and away to-morrow.

Amendment proposed, in page 11, line 29, to leave out from the word "when" to the word "arrangement," in line 34, both inclusive.—(*Mr. Cawley.*)

MR. W. E. FORSTER said, he regretted he could not agree to the pro-

[*Consideration.*]

posal of the hon. Member. If the words were omitted, great obstacles might be thrown in the way of the transfer of the schools; and for all practical purposes he believed that sufficient safeguards had been provided, so as to obviate the evil against which it was sought to guard.

MR. BIRLEY said, the regulations of the Revised Code restricted the choice of managers to a very narrow area, and it was not therefore advisable to give them so much power.

MR. HINDE PALMER said, the section they were discussing merely supplied the machinery.

LORD JOHN MANNERS said, that in settling the previous clauses, they had conceded the point between his hon. Friend and the Government.

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to*.

MR. M'LAREN moved, in Clause 23, line 4, after "same," to insert—"and to pay fees for teaching blind children to read in such schools," the object being the admission of blind children to schools for a special kind of instruction, and the application of a portion of the rates for that purpose. The practice was adopted in Scotland, where the usual payment was £5 a year, and the blind children had, it was found, been much benefited morally by mixing with other children of their own age who were not similarly afflicted.

Amendment proposed, in page 12, line 4, after the word "same," to insert the words "and to pay fees for teaching blind children to read in such schools."  
—(*Mr. M'Laren*.)

Question proposed, "That those words be there inserted."

MR. WHEELHOUSE supported the Motion, and was anxious to bear his testimony in favour of it. He would suggest that, if possible, the same thing should be done for the deaf and dumb. It had, indeed, been stated that deaf and dumb children could not be taught to read in these schools. But there were signs which might be used by teachers, not themselves specially qualified, as teachers of the deaf and dumb.

MR. W. E. FORSTER advised his hon. Friend (Mr. M'Laren) for the sake of his own clients not to press the Motion. The Bill provided elementary education for all children, which would

include the blind and the deaf and dumb. There might be cases where it would be beneficial to the blind to mingle with other children, but there might be cases where it would be disadvantageous; for, if there happened to be a large number of blind children, it would be better to send them to a separate school. If the words were inserted, instead of widening, they would narrow the application of other parts of the Bill, and thus do injury to the interests of the very persons it was the object of his hon. Friend to serve. He trusted, therefore, the Amendment would not be passed.

Amendment, by leave, *withdrawn*.

MR. J. G. TALBOT moved the insertion of words in Clause 26, which would give "any prison authority in England and Wales" the same power as the clause gave the school Boards of establishing, with the consent of the Education Department, certified industrial schools. In his own county the magistrates found it impossible to carry out the Industrial Schools Acts, because they had not the power of founding schools.

Amendment proposed, in page 12, line 22, after the word "board," to insert the words "or any prison authority in England or Wales."  
—(*Mr. John Talbot*.)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER deprecated dealing with any defects in the Industrial Schools Acts, by means of altering a section of the Bill then before the House, especially as those Acts would be taken into consideration by the Government generally, and especially by his right hon. Friend (Mr. Bruce).

MR. GATHORNE HARDY said, it would be very satisfactory if the Home Secretary would promise to do something to remedy what had been the great defects of these Acts—namely, that they did not give the power of founding schools.

MR. BRUCE said, the Industrial Schools Acts depended for their success on the voluntary machinery which was put in operation. The question was, however, one well worthy of consideration.

Amendment, by leave, *withdrawn*.

MR. DIXON moved, in Clause 27, page 12, line 35, leave out all after "Act," and insert—

*Mr. W. E. Forster*



"1. In boroughs of one hundred thousand inhabitants and upwards by the council, provided that not less than one-third of the number to be elected shall be elected from persons who, at the time of the election, are not members of such council ;

"2. In all other boroughs by persons whose names are on the burgess roll of such borough for the time being in force ;

"3. And in a parish not situate in the Metropolis by the ratepayers ;

"4. Provided that the School Boards in the Metropolis shall be elected by the parishioners of the parishes therein in manner provided by this Act."

The hon. Member observed that the Bill, as it originally stood, gave power to the Town Council in boroughs to elect school Boards. Objection was taken to that by the hon. Baronet the Member for Chelsea (Sir Charles Dilke) ; and, although it was rejected on a Division, the Government afterwards adopted it. He believed that the principal objection to vesting in Town Councillors the right of electing the school Boards lay in the fact that Town Councillors, as a rule, were unpopular. A strong prejudice existed against them ; and this prejudice was chiefly cherished by men who kept themselves aloof from municipal politics and refused to enter the Town Councils. His opinion, however, was, if the office of Town Councillor were made more honourable, and if the Legislature gave him higher functions to discharge, those men who now kept apart from municipalities would gladly offer to become members of such bodies. He contended that, as a rule, Town Councils honestly and efficiently discharged the elective duties which Parliament had devolved upon them ; and his firm conviction was that if Town Councils were, in this instance, allowed to elect the school Boards, much better representatives would be obtained than if the elections were left in the hands of ratepayers.

#### Amendment proposed,

In page 12, line 35, to leave out all the words from the word "Act," to the end of the Clause, in order to insert the words,—

"1. In boroughs of one hundred thousand inhabitants and upwards by the council, provided that not less than one-third of the number to be elected shall be elected from persons who, at the time of the election, are not members of such council ;

"2. In all other boroughs by persons whose names are on the burgess roll of such borough for the time being in force ;

"3. And in a parish not situate in the Metropolis by the ratepayers ;

"4. Provided that the School Boards in the Metropolis shall be elected by the parishioners of the parishes therein in manner provided by this Act,"

—(Mr. Dixon.)

—instead thereof.

Question proposed, "That the words 'in a borough' stand part of the Bill."

MR. RATHBONE trusted the Government would yet retrace their steps upon this point while there was still time, and withdraw a concession which might be injurious and possibly fatal to the working of the Bill.

MR. W. E. FORSTER said, he had no wish to check discussion on this subject ; but he would remind the House that it had already been very considerably debated. He admitted that this was one of the most important questions which had come under their notice, and one that was very difficult to deal with. He said that the Government had taken the step they had been induced to take with very great reluctance. They had full confidence in the integrity and ability of the Town Councils ; but the conviction had been forced upon them that in framing an Education Bill they ought to stick either to one principle or the other, and not have two conflicting ones. As the Bill had been originally framed, the principle of indirect representation ran all through it ; but latterly the principle of direct representation had been granted in the case of the metropolis, as well as in the rural districts, and that once admitted Government did not see how one rule was to be laid down for London, and another for the large towns in the country. The ratepayers of the latter would in that case naturally complain. Besides, there were large towns where there was no Town Council ; and the principle of direct representation would also have to be admitted there. He held that it would have been almost impossible to work the Bill according to the principle of indirect election, and, therefore, the Government had adopted the course they had taken.

MR. MUNDELLA agreed that it would be impossible to draw the line at 100,000 inhabitants. He recommended the hon. Member for Birmingham (Mr. Dixon) to withdraw his Amendment, in order that the issue might be taken on the proposal of the right hon. Gentleman the Vice President of the Council.

[ *Consideration.*



MR. DIXON acceded to the suggestion of the hon. Member for Sheffield.

MR. COLLINS said, he was very much surprised to hear objections to popular election proceed from the Liberal ranks. He felt sure that election by the ratepayers would give great satisfaction, not, perhaps, to a few members of Town Councils, but to the mass of the population.

Amendment, by leave, *withdrawn*.

MR. W. E. FORSTER moved, in line 36, to leave out "council," and insert "persons whose names are on the burgess roll of such borough for the time being in force."

Amendment proposed, in page 12, line 36, to leave out the word "council," in order to insert the words "persons whose names are on the burgess roll of such borough for the time being in force,"—(*Mr. William Edward Forster*,)—instead thereof.

MR. DIXON moved the rejection of the Amendment.

MR. MUNDELLA said, he was satisfied that no greater mistake could be committed than that of leaving the school Boards to be elected by the popular vote. He contended that the best men would shrink from becoming candidates for a seat at such Boards, owing to the turmoil, abuse, and trouble they would have to endure during the election.

MR. LAIRD held that the ratepayers were the persons in whom the power of choosing the school Boards should be vested. He hoped that the Government would persevere with their proposal.

MR. MUNTZ pointed out that the persons chosen by the Town Councils, as managers of charities for instance, were, as a class, superior to those who were chosen by direct popular suffrage, such as the Boards of Guardians. Gentlemen who would be likely to form the best school Boards would not go to the expense of an election contest.

LORD JOHN MANNERS remarked, that this expense would fall on the education rates, and it would be very much increased indeed by the introduction of the Ballot. He hoped the Amendment would not be carried.

Question put, "That the word 'council' stand part of the Bill."

*Mr. Mundella*

The House divided:—Ayes 57; Noes 273: Majority 216.

Question, "That the words 'persons whose names are on the burgess roll of such borough for the time being in force' be inserted instead thereof," put, and *agreed to*.

MR. HOLMS moved, in Clause 36, page 16, sub-section 8, line 42, leave out all after "and," and insert "the chairman of the school Board from among their own number." The best men would be deterred from joining the Board if the chairman were to be nominated by the Department.

MR. W. E. FORSTER said, he would accept the Amendment. The Education Department would be very glad to be relieved from the responsibility of finding a chairman; and the only idea on which they had proceeded was, that as it was necessary to get to work as soon as possible it would be an advantage that the first chairman should be elected by them. Nothing could be more inconvenient than that the London school Board should commence its operations with any feeling of antagonism towards the Education Department, and, therefore, he at once agreed to the suggestion of his hon. Friend, particularly as he understood that the Amendment was approved of by other metropolitan Members. He thought, however, that the school Board should be allowed discretion as to the source from which its chairman should be selected, and he, therefore, hoped the hon. Member would not press the words "from among their own number" in the latter part of the Amendment.

Amendment, as amended, *agreed to*.

MR. W. E. FORSTER moved, in page 17, line 3, at end of paragraph 8, add—

"And any subsequent chairman who may afterwards be elected by the Board, may be elected either from the members of the Board or not, and any chairman who is not an elected member of the Board, shall by virtue of his office be a member of the Board, as if he had been so elected."

Amendment *agreed to*.

MR. W. E. FORSTER moved, in Clause 39, line 25, after "subsequently," add—

"Where a union of districts is proposed the Education Department shall consider whether any public school accommodation is required for the area proposed as the united district instead of

for each of the districts constituting such area, and their decision as to the public school accommodation and the notice of such decision shall accordingly refer to such area and not separately to each of the constituent districts."

Amendment agreed to.

MR. W. E. FORSTER moved, in Clause 88, page 34, line 3, at end of clause add—

"If a school Board is formed in the borough of Oxford, one-third of the school Board shall be elected by the University of Oxford, or the Colleges and Halls therein, in such manner as may be directed by the Education Department by an order made under the power contained in the Second Schedule to this Act."

The University was obliged to be brought in separately, or otherwise it would not be rated; and, if rated, it ought to have a share in the representation.

MR. VERNON HARCOURT said, he was surprised at the Amendment being brought forward without due Notice. He did not know whether his right hon. Colleague in the representation of Oxford assented to the Amendment; but, for his part, he could not give his assent to it, as it would overthrow existing arrangements between the University and the city of Oxford, under which the whole question of rating and expenditure was amicably and satisfactorily settled between the University and city of Oxford. He could not see why the Education Board should have the entire determination of the matter.

MR. GATHORNE HARDY said, he thought, as the University was to contribute to the rate, it was only just that it should have its share of representation upon the school Board.

MR. W. E. FORSTER stated that the Amendment would place Oxford in precisely the same position as the other towns in the kingdom.

Amendment, by leave, *withdrawn*.

LORD AUGUSTUS HERVEY moved, Clause 92, at end add—

"Provided also, That no school in which the Holy Scriptures are not daily used shall be entitled to receive any Parliamentary Grant."

He held it to be of primary importance that religious instruction should be given in all schools. Religious instruction formed an essential part of education, and no education could be considered complete without religion, and Parliament ought not to sanction education which was not complete. The principle

of religious instruction had already received the sanction of the great body of the people.

Amendment proposed,

In page 35, at the end of Clause 92, to add the words "Provided also, That no school in which the Holy Scriptures are not daily used shall be entitled to receive any Parliamentary grant."—  
(*Lord Augustus Hervey*.)

MR. W. E. FORSTER begged to remind the noble Lord that this question had been already discussed and decided, and the general principle that religious might be combined with secular education, but that their union should not be compelled, had been approved on both sides of the House.

SIR JOHN PAKINGTON said, he entirely agreed in the doctrine of his noble Friend; and if he carried the question to a Division, he (Sir John Pakington) should vote with him. From the beginning to the end of the Bill there was not a word said on the subject of religion, except as to the formularies to be taught. He was of opinion that if they did not provide for the teaching and reading of the Holy Scriptures, it would be a great blot on the Bill.

MR. COLLINS said, that if this Amendment were carried, it would interfere with rate-created schools and voluntary schools.

MR. NEWDEGATE: The hon. Member for Boston (Mr. Collins) is, I admit, always anxious to consult what may seem at the moment to be the convenience of the House, whether by counting out the House, or after any other fashion, and, at the present, he seems to think that it would be inconvenient to the House to consider the subject involved in the Motion which has been brought before us by the noble Lord the Member for Suffolk (Lord Augustus Hervey); but I differ from the hon. Member. I agree with the right hon. Baronet the Member for Droitwich (Sir John Pakington), who has just spoken; and I shall be curious to hear from the representatives of the Protestant Dissenters their reasons, should they think of rejecting the Motion of the noble Lord. Hitherto we have had some difficulty in defining what is meant by the language of the Bill, which speaks of religious education. It appears to me quite evident that the House does not mean, by the term "religious education," educa-

[*Consideration.*]



tion in the religion of the Tycoon, or in that of Confucius. I do not believe that it means education in any of the Pantheistic or Polytheistic religions of the ancients; and I think there is a distinct object to be attained by ascertaining what the House really does mean by religious education. The hon. Member for Birmingham (Mr. Dixon), whom I see opposite to me, will agree with me in this, although he is opposed to the teaching of any religion. I should be surprised if I were to hear the hon. Member rise in his place, and, as the representative of that great town, declare that his peculiar objection to religious education is because it is founded in the doctrines of the Bible. I do not believe that the hon. Member would make any such declaration as that. What, then, is the object of having this Amendment inserted in the Bill? To my mind that object is to define the religion that we contemplate; and I believe that we mean the religion contained in the Bible, which is common to every section of Christians. This is a distinct religion; a mere belief, which is indistinct, is not religion. Sir, I am quite willing that every denomination should put its own interpretation upon the religion derived from this standard. God forbid that I should support the insertion in the Bill of words which would have the effect of limiting that interpretation. Let the Unitarian, let the Presbyterian—in short, let every sect place its own interpretation on this religion; but let it be distinctly understood that what the Legislature means by the term “religious education,” is education in the doctrines of the Bible. Now, there is a great object to be obtained by this; for, if there is any public value in religion, it is that it affords a standard of morals. I hold that the State has no right to intrude into what the Roman Catholic theologians describe as the “*Forum interius*”—that the State has no right to force conscience; but that it has a right to enforce the observance of the rules of morality, which are embodied in its laws. The House will excuse me for expressing, in distinct terms, the general sense of the great body of Protestant Christians, when they desire that the State should not repudiate in any way the Bible, as containing the religion which the State recognizes, and of which this very Bill is intended to promote the inculcation, as part of the

education to be supported out of the public Revenue. [“Divide!”] Why do you shrink from me? You cry “Divide!” because I am distinct; because, in giving my support to this Amendment, I would put my position clearly before the House. I say, that the value of religion to the State, and the only concern which the State, or this House, as part of the State, ought to have with religion, is on account of the morality of which it is the source and the foundation. Well, Sir, I hold that the morality of the Bible is perfectly distinct and admitted; and I have always thought that the denominational system of primary education, as originally established in this country, was established on a wise foundation, because the first grants were made in aid of the voluntary exertions, and in aid of the subscriptions, which were collected by the National Society, and the British and Foreign School Society, both societies being bound by their rules to inculcate a religious, a Scriptural education. That was, and is, the rule; and then came the exceptions. First, the Jews came to Parliament and said—“We can only accept and teach one-half the Bible;” and the State, having considered their claim, said—“Consistently with our abstinence for making inquiries into conscientious objections, provided our standard be not violated by the rejection of the Bible, we will make an exception in your favour.” The State, therefore, made a grant in favour of the Jews, but upon the understanding that they did not reject the Bible. Next came the Roman Catholics; the Roman Catholics equally claimed a share in the grant of public money on this ground—that they do not reject the Bible, although the Roman Catholic priesthood claim, according to the present practice of their Church, a monopoly for their own order not only in the teaching, but in the study of the Bible, and refuse it to the laity. This claim gave rise to a great difficulty in this House, but the House was lenient, and again made an exception. [“Question!”] Why this is distinctly the question. I am showing the House that the system which exists in this country is founded on a Scriptural basis, and that there are two great exceptions to it—the first made in deference to the consciences of the Jews; the second in deference to the application of the Roman Catholic hierarchy. [“Divide!”] Hon. Gentle-



men will excuse me, but I feel that I am in the performance of my duty as a Member of this House in speaking distinctly of the matter before you. The exception, which was made at the instance of the Roman Catholic hierarchy, was still made only upon the ground that, although the priesthood claimed a monopoly in the study and teaching of the Bible and in teaching from the Bible, they did not reject the Bible; and, Sir, I do trust that the Legislature will not finally depart from the rule to which it has hitherto adhered, that whenever it grants public money in support of an education which it terms "religious," it intends to define the religion which it means by rendering the acceptance of the Bible the foundation of the grant. ["Divide!"] I know there are hon. Members who wish to shirk this question; but now, that it has been distinctly raised, I claim to put it plainly before the House. Allow me to advert for a moment to those who object on the score that children are incapable of understanding the Bible. Sir, the practice of the Christian world for centuries has confuted that assertion, and I put it to every man who recollects his early education, whether the maxims and texts from the Holy Scriptures which he learnt in childhood are not so deeply engraven on his memory that in times of trouble these texts and maxims come up in his mind readily to his relief. Sir, it amounts to the manifestation of a total ignorance of human nature, of an utter inexperience in education; it argues a complete disregard for the fundamental principles on which this commonwealth is regulated, to say that the Bible and its teaching has not been accepted for centuries, not only as the foundation of the education of the children of England, but of the laws which are to regulate their conduct in after-life. I claim this sanction. ["Oh!"] Yes, hon. Members opposite are much afraid of this question. They dislike that which is definite. Yet this has been my strength in public life, that I have always taken up a position which everyone could understand. Whether they approved or whether they disapproved of it, they have clearly understood what I meant; such ought to be the strength of this House, and I trust that the House of Commons will distinctly manifest its intention, proclaiming that its understanding of the

term "religious education" is, as it has been, an education consistent with and embodying the religion of the Bible.

Question put, "That those words be there added."

The House divided:—Ayes 89; Noes 205: Majority 116.

LORD JOHN MANNERS moved, Second Schedule, First Part, paragraph 1, lines 9 and 10, leave out "provided that any poll shall be taken by Ballot." He said that neither the arguments which were used in the former debate, nor the Divisions which then were taken, had in the least degree qualified the opinion he then expressed respecting the proposal of the Government; and he asked the House to consider the mode in which it was recommended to their acceptance. In the first place, it was said that there was an Act of *Will. IV.* which had never come into practical operation, but which gave some kind of legislative sanction for the introduction of the Ballot; and, secondly, it was urged that under the operation of the Local Management Act the Ballot was used in the election of vestrymen in the metropolis. The Government, however, had now withdrawn both those arguments, for it was now provided that the Vice President should have the option of overriding every provision of the Local Management Act as far as the Ballot was concerned; though at that he was not surprised, for he was informed that the Ballot at the election of vestrymen was a nullity. The Government now asked the House to give autocratic power to a Department of the State to cause some undisclosed system to be adopted in every borough and school district. He contended that the proposal was not made either at the right time or in the proper place, for it was now impossible that either this House or the other could fairly discuss so grave and momentous a proposal at the fag-end of the Bill and so late in the Session; and, therefore, in the interest of the Ballot itself, the House ought to object to the proposal. On those grounds he moved the omission of the words.

Amendment proposed, in the Second Schedule, page 37, lines 9 and 10, to leave out the words "Provided that any poll shall be taken by ballot."—(*Lord John Manners.*)

[*Consideration.*]

Question put, "That the words proposed to be left out stand part of the Schedule."

The House divided:—Ayes 197; Noes 106: Majority 91.

MR. W. E. FORSTER moved, Second Schedule, page 37, line 10, after "provided that any poll shall be taken by Ballot," insert "in accordance with the principles upon which a poll is taken under 'The Metropolis Management Act, 1855.'"

Amendment proposed,

In the Second Schedule, page 37, line 10, after the words "provided that any poll shall be taken by ballot," to insert the words "in accordance with the principles upon which a poll is taken under 'The Metropolis Management Act, 1855.'"

—(Mr. William Edward Forster.)

Question proposed, "That those words be there inserted."

SIR CHARLES W. DILKE said, he had no wish to detain the House any longer, but he could not possibly allow the addition proposed by his right hon. Friend without a Division. As it was, however, so near 7 o'clock, he should move the adjournment of the debate.

MR. W. E. FORSTER said, he was in hopes that his hon. Friend would have been contented with the discussion which they had had already on this question, or that he would have taken a Division so as to have allowed the Committee to dispose at once of this stage of the Bill. It was most important that this question should be completed in that House without any further delay. If his hon. Friend, however, insisted upon his Motion for the adjournment of the debate, he (Mr. Forster) should earnestly appeal to hon. Members who had Motions on the Paper for the Evening Sitting to allow this question to be resumed immediately upon their re-assembling at 9 o'clock.

MR. VERNON HARCOURT remarked that they had been 12 hours discussing this question with the hope of securing a real Ballot. The question now with the Liberal party was whether they would assent to accept what every-one knew was but a sham Ballot.

MR. GATHORNE HARDY said, he thought there was no use in wasting any more time by adjourning this debate. It seemed to him that it would facilitate business if the hon. Member for Chelsea

(Sir Charles Dilke) would go to a Division at once upon this question.

LORD JOHN MANNERS reminded the right hon. Gentleman the Vice President of the Committee of Council that some of the Members who had Notices on the Paper for the Evening Sitting were not present.

SIR CHARLES DILKE was appealed to to withdraw his Motion for the adjournment of the debate; but as he refused to do so,

MR. W. E. FORSTER said, he would put the Bill upon the Paper after the other business, and would take his chance of bringing it on at any time.

Debate adjourned till this day.

#### MR. SPEAKER'S INDISPOSITION.

The Clerk informed the House, That Mr. Speaker was prevented by indisposition from resuming the Chair this Evening.

Whereupon, Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Standing Order.

#### PARLIAMENT—PROGRESS OF BUSINESS.

MR. BRUCE appealed to hon. Gentlemen who had Motions on the Paper to postpone them, so that the Report on the Education Bill might be finished that night. That measure was of the greatest importance, and it had received the support of both sides of the House. The Government had spared no efforts to pass it through its final stage; but they had failed to pass the Report at the Morning Sitting, and unless it could be done that night the third reading could not take place before Monday next, and it would not reach the House of Lords till that day. He, therefore, appealed to the kindness, and, indeed, to the patriotism of hon. Gentlemen to postpone the Motions that stood in their names.

MR. EYKYN, who had given Notice of a Motion on the Metropolitan Police Force, said, he regretted to find that both the Prime Minister and the Speaker were absent in consequence of the long and exhaustive Sitzings of the House. After the appeal of the Home Secretary, and in the hope that a Select Committee



would be appointed early next Session to inquire into the constitution, &c., of the Metropolitan Police Force, he should withdraw his Motion.

# MR. LEONARD EDMUNDS.

## MOTION FOR A PAPER.

MR. RUSSELL GURNEY, in rising to call the attention of the House to the arrest and detention in prison of Leonard Edmunds at the suit of the Crown; and to move for Papers, said, it was easy for the hon. Member for Windsor (Mr. Eykyn) to give way when the Government were ready to give him the Committee next Session for which he asked. He, however, stood in a different position, and there was the less necessity for him to give way, because the case he had to bring before the House would only occupy a very short time. It was known a short time ago as the "Edmunds' Scandal." The House was aware that there had been matters of litigation between Mr. Leonard Edmunds and the Government, who claimed a very considerable sum as having been received by Mr. Leonard Edmunds, and for which they contended he was liable. He disputed the liability, and made counter-claims against the Government. An information was laid by the Crown some years ago in the Court of Chancery, and the then Vice Chancellor Giffard gave a decision adverse to Mr. Edmunds in some points, and making him liable for certain sums, of which he directed that an account should be taken; but, in justice to Mr. Edmunds, he ought to state that he entirely and expressly acquitted Mr. Edmunds of all moral fault. [The ATTORNEY GENERAL: The whole matter was not before the Court.] It was the duty of the Government to have laid the whole case before the Vice Chancellor, and if they failed to do so they were in fault, and they were not entitled now to make it a point against Mr. Edmunds. An account having been ordered to be taken, the whole matter was subsequently referred by counsel to two barristers, against Mr. Edmunds' expressed desire. Those barristers, who doubtless were gentlemen entitled to every confidence, ultimately decided, that Mr. Edmunds was indebted to the Crown in the sum of £7,000 odd, which, with a moiety of the costs of the reference,

amounted altogether to about £8,100. That was in the month of November last year. Nothing further took place for a short time; but it happened that in consequence of a certain publication that had been made by two high officers of State Mr. Edmunds conceived that he had ground against them for an action for libel, in which the whole question between himself and the Crown would have been re-opened. Such was the position of the two parties, when in the spring of this year Mr. Edmunds was arrested for his debt to the Crown and thrown into prison, where he now remained. Now he, in common, he believed, with all hon. Members, at the time believed that by the Act of last year imprisonment for debt was abolished, except in the particular cases specified by the Act. The case of Mr. Edmunds came under none of them, yet in this instance the recovery of the debt he owed to the Crown had been pursued by the odious mode of imprisonment. He could not dispute the legality of the arrest, seeing that a very learned Judge had decided that it was legal; but he could easily have understood that another view of the matter might have been taken. He was bound to assume that the Crown had the legal right of imprisonment. But then it was a different thing to determine whether it was right to exercise that right. He trusted the House would consider how the question stood. It was distinctly stated by Vice Chancellor Giffard that there was in the case no moral fraud; that it was a mere question of debt; that there was no violation of trust, no retaining of money in his hands which he was unwilling to pay over, nor anything for which the penalty was prescribed by Act of Parliament. That being so, how was Mr. Edmunds placed? As far as he was concerned, unless the special mercy of the Crown was shown to him—and very little mercy had been shown to him hitherto—he would be imprisoned for the term of his natural life. Formerly, a man had the power to relieve himself from this position by becoming bankrupt. But that was the case no longer. He might give up every farthing he possessed; but unless he gave up £8,000 odd, he must remain a prisoner for the term of his natural life. Was that a position which Parliament contemplated when it abolished imprisonment for debt? If such a thing had



then been mentioned on the floor of this House he was sure that a special provision would have been introduced to meet it. This was a *casus omissus*, and the Crown had taken advantage of it. This, then, was the position in which Mr. Edmunds was placed; and he called the attention of the House to the fact that when they all believed that imprisonment for debt had been altogether abolished, it was still continued in this odious form. Under these circumstances, he had thought it right to bring the matter before the House. It might be asked, why he did not come forward and propose an alteration in the law? But he need not tell the House that it would be idle for a private Member to attempt an alteration of the law at this period of the Session. But it was a question for the House, and still more for the Government, to consider whether it was right and fitting that the name of the Sovereign should be introduced into an Act of this sort; that when it was agreed that all others should be deprived of the right of imprisonment, the Sovereign, and she alone, should have this odious power, which was condemned by the good feeling of the House and the country? He begged to move—

“That there be laid before this House, a Copy of any Warrant or Order of Court for the commitment to prison of Leonard Edmunds at the suit of the Crown.”

SIR JOHN HAY seconded the Motion.

MR. WEST said, he was astonished, that the well-known principle of law, “That the Crown was not bound by an Act of Parliament, unless specially named,” should have been described by a lawyer to be “an old doctrine recently revived by the Law Officers of the Crown.” The doctrine was as old as the existence of law in this country; it was still acted upon every day. His right hon. and learned Friend seemed to forget that the Prerogatives of the Crown, however they might be exercised in former days for the personal benefit of the Crown, were now only exercised for the benefit of the public, and had, in fact, become part of the rights of the nation. He dissented altogether from the proposition of his right hon. and learned Friend when he said that, if before the passing of the Act the attention of the House had been called to the matter, provision would have been made for the abolition of the rights of the Crown. He would only say that if this

had been so his voice would have been raised to protect the rights of the Crown, which he held to be of the highest importance to the welfare of the nation; for it was the nation, and not the Crown, that was concerned in the matter. He would not go into this miserable case of Mr. Edmunds; but he hoped that the Law Officers as long as the law existed would enforce it. If a wretched boy robbed his master's till of 1s. 6d., he was sent to prison; but if a public servant deprived the Exchequer of some thousands of pounds a morbid sympathy was raised for him, and an outcry was raised if he were dealt with according to law. His fear, on the contrary, was lest the Law Officers of the Crown should exercise the Prerogatives of the Crown with too gentle a hand. He would remind the House that there was a great distinction between the Crown and private debtors. An ordinary tradesman could sell his goods to whom he chose; but the Crown had no such choice. Its debts were contracted not by the choice of the Crown, and how was the Crown to recover the taxes from its debtors unless it had the power to enforce them? He hoped, therefore, the Crown would not give way upon this case. If the law was to be altered, let it be altered. But as long as it continued to exist it was the duty of the Law Officers to enforce it.

MR. SCLATER-BOTH said, he had no intention of entering upon the legal argument, for which he felt himself utterly incompetent; but in consequence of the virtuous indignation into which the hon. and learned Gentleman who had just sat down had worked himself, he rose to ask the House to consider what the world at large were likely to say of the matter. He believed the world would consider that the rights of the Crown had little or nothing to do with it. They would look upon the Crown on one side, and Mr. Edmunds on the other, as two parties to a civil action which had been left to arbitration. It was not the case of a defaulting taxpayer, nor that of a defaulting officer of Inland Revenue. The facts of the case were that a suit between the parties had long been going on — between Mr. Edmunds and the Crown—and in the end a decision was given for the Crown. Hereupon the Lords of the Treasury issued a Minute which laid them open to a charge of

Mr. Russell Gurney

libel. The action for libel was commenced, when it was stopped by the arrest of Mr. Edmunds. Now, would not the world say that this was an improper position for the high Officers of the Crown to place themselves in—that it was an unfortunate position for the Crown, and one to which it ought not to have been committed?

THE ATTORNEY GENERAL said, he must express his great surprise at the speech of his right hon. and learned Friend (Mr. Russell Gurney). The way in which the Law Officers viewed the matter was this—that Mr. Edmunds was a defaulter to the Crown in respect of moneys which he had received, and which he was bound to pay over to the Exchequer. His distinct duty was prescribed to him by Act of Parliament, and therefore he could not concur with the hon. Gentleman (Mr. Sclater-Booth) that his case was different from that of a defaulting taxpayer or defaulting collector of Inland Revenue. Mr. Edmunds had received money due to the Crown, and he had not paid it over, as it was his duty to do. But he was at a loss to understand the argument of his right hon. and learned Friend who introduced this Motion. He admitted that Mr. Edmunds had received £7,000 which he was bound to pay. He admitted that the Crown had a right to issue process against Mr. Edmunds' person. One of the highest authorities on the Bench, Mr. Justice Willes, entertained no doubt that the Crown had a right to adopt the proceedings that had been taken. If Mr. Edmunds had thought fit to appeal against the decision of Mr. Justice Willes he might have done so. His right hon. and learned Friend said that the Act of last Session was misunderstood. With great respect to his right hon. and learned Friend he must characterize that as a rather bold assertion. For himself, he must say he thought he understood it. Could anyone doubt that the Lord Chancellor and the Law Lords in the other House who passed it understood it? If his right hon. and learned Friend rose and said he did not understand it he would give implicit credence to that statement, however it might surprise him; but he believed the Solicitor General and all the other lawyers in the House understood it in the sense he did. The Bankruptcy and Insolvency

Acts of previous years had not interfered with the rights of the Crown, though certain of them had all but abolished imprisonment for debt in the case of debts due to ordinary creditors. Neither had the Act of last Session been intended to do away with the Prerogatives of the Crown in the case of defrauding debtors. When he spoke of the rights of the Crown in such matters he spoke of rights exercised for the benefit of the people. He thought his right hon. and learned Friend was entirely mistaken when he endeavoured to make out that it was the intention of the Legislature last Session to repeal the power of imprisonment for debt on the part of the collective community as represented by the Crown. In the Customs and Inland Revenue Act of last Session, passed within a week or two of the Act to which his right hon. and learned Friend had referred, there was a provision to the effect that where a sufficient distress could not be found, in every such case any two of the Commissioners were thereby authorized, by warrant under their hands, to commit the defaulter to the common gaol or House of Correction of the place where he was arrested, there to be kept until payment was made or until he should be released by order of the said Commissioners. This was an extension of the power of imprisonment for debt on the part of the Crown. If his right hon. and learned Friend then held the opinion he now appeared to do, it was astonishing that he did not object then to that provision. For himself, he was not much attached to imprisonment for debt, and would be thankful to see it abolished; but he had made inquiries of the Solicitor to the Inland Revenue Board, who told him that, in his opinion, it would be impossible to abolish imprisonment for debt in the case of persons who owed taxes, or of collectors who did not pay them over, and he also found that that Department and the Treasury, and all the Courts, had acted on the supposition that the Act of last Session did not apply to debts due to the Crown. In January, February, March, April, May, and June last a number of warrants and executions for non-payment of taxes and other debts due to the Crown were issued against the person, and the effect of those executions was that the debts were paid. There might be reasons why, as between subject and sub-



ject, the Legislature should abolish it; but nobody, he thought, would deny that imprisonment for debt was the most effectual of remedies. Several persons had been imprisoned since that Act was passed, and they had paid the debt; and he found there was one man in prison now for a comparatively small debt. Why were they to have all that sympathy for a great debtor and none for the small debtor? The question before the House was whether imprisonment for debt at the suit of the Crown should be altogether abolished. If so, the thing ought to be done by a well-considered Act of Parliament, and not by a Motion of that kind brought on at the end of the Session. They could not say that this remedy of the Crown, being enforced against other persons, it ought not to be enforced against Mr. Edmunds, although that would appear to be the effect of the Motion. He had no desire to enter into the merits of the case; but as his right hon. and learned Friend had done so, and Mr. Edmunds had circulated a large number of pamphlets calculated to mislead hon. Members—one-half of which might be described as consisting of misstatements in his own favour, and the other half of libels on other people—he thought it necessary to say a few words as to the real state of the case. He considered this an exceptional case, and believed that if there was anyone Crown debtor against whom it was necessary to issue execution it was Mr. Edmunds. Mr. Edmunds was appointed Clerk of the Patents in 1833 by Lord Brougham, and then the salary of the office was £400 a year. Mr. Edmunds' own account of the matter was that he accepted the office on the understanding that he was to receive £100, and pay the rest of the salary over to the Brougham family. It was not necessary for him to investigate whether that statement was true or not. If it was true, Mr. Edmunds, by his own showing, entered into a corrupt bargain, whereby he became the conduit pipe for clandestinely conveying the public money to persons who had no right to it. Mr. Edmunds, it appeared, did none of the duties of the office, but appointed a person named Ruscoe to perform the duties, which he did for a number of years. Ruscoe received nothing from Mr. Edmunds, but earned a precarious subsistence by small fees received from

patentees, selling patent boxes, and buying stamps for patentees at wholesale prices, and selling them at retail prices and pocketing the difference. This trade in stamps subsequently became very profitable, and at length it was clearly made out that Mr. Edmunds took a sum of £500 of public moneys, which it was his duty, as he perfectly well knew, to pay into the Exchequer, and applied it in the purchase of stamps wholesale, which stamps he sold by retail, and thus he went on trading from year to year with that £500 of the public money, and making a large profit, which, in addition to the emoluments of his office, he put into his own pocket. But the case did not stop there. For some years he paid over the moneys he received to the Exchequer. It was his duty, by the Act under which he was appointed, to pay them over quarterly, and make a declaration that he had so paid them, which he did for some time. After a time he intermitted those payments; instead of making them quarterly he did it half-yearly, then yearly; and, as nobody found it out, he kept the sums in his possession for two years; and, finally, there being nobody to check those irregularities, he ceased making any payments at all. And from the year 1852 to the period when he was found out he put all that money, which he was bound to pay into the Exchequer, into his own pocket. Now, how was he found out? Quite accidentally. Mr. Edmunds, having a violent temper, quarrelled with Mr. Woodcroft, who did all the work of the office, and brought various charges against him, which turned out to be unfounded. Mr. Woodcroft did not then know of Mr. Edmunds' malversation, but made counter charges against him only of negligence and remissness in his duties. The subject came before the Commissioners of Patents, among whom were his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), the Lord Chancellor, the Master of the Rolls, and himself, and it was thought desirable to refer the whole matter with respect to the Patent Office to two gentlemen of the highest possible character—Mr. Greenwood and Mr. Hindmarch. The arbitrators took great pains with the case—they examined into the matter carefully, and they had Mr. Edmunds before them. In the course of their investigation they expressed a



desire to see the accounts, and they asked Mr. Edmunds for his pass-book. He was very unwilling to produce it; but the more unwillingness he displayed the more determination they manifested to get possession of it. Each time that they asked for the book he made excuses for not producing it, such as he had lost it, and the like. Finally, the arbitrators threatened that unless he gave it up they would apply to the Bank for a copy, and under terror of this threat the book was produced. From this book the arbitrators found that from the year 1852 Mr. Edmunds had never paid in one farthing to the public account. Now, what was his first account of the transaction—because in matters of this sort it was extremely important to ascertain the first story told by the individual whose conduct was implicated. It appeared from the Blue Book upon the subject that Mr. Edmunds had handed a paper across the table to Mr. Greenwood, admitting the wrong in relation to the non-payment with sorrow, and that was the only explanation of the matter the arbitrators could obtain from him. Eventually, the arbitrators found that Mr. Edmunds owed the Exchequer a sum of between £3,000 and £4,000; but before that decision was announced Mr. Edmunds paid into the Treasury the sum of £7,000, for which, fortunately for him, he obtained a receipt. He said fortunately, because the then Law Officers, after some hesitation, came to the conclusion that as the Treasury had chosen to treat him as a debtor, it was not, on the whole, expedient to prosecute him as a criminal. He referred to this matter to show that Mr. Edmunds, so far from having been hardly dealt with, had all along been treated with much leniency. But this was not the termination of the affair. Mr. Edmunds had been a pluralist. He had held, besides his other appointment, the Clerkship to the House of Lords, and the matter was investigated by a Committee of that House, among the members of which were the Duke of Somerset, the Earl of Derby, the Duke of Montrose, the Earl of Clarendon, and Lord Chelmsford, before whom he was cited, and personally called to give evidence. He admitted then that he had unfortunately omitted to pay a certain sum of money into the Consolidated Fund in the year 1852, and that he had also failed to do the like thing in the year following. Having

missed two years, he said that he became alarmed, and was afraid to pay the money into the Exchequer the third year lest the whole of his accounts for 20 years previously should be audited. Each year, he declared, the difficulty of paying up the arrears became greater and he consequently allowed them to run on. There were many hon. and learned Members in that House who had prosecuted clerks for embezzlement, and they knew that the usual course of defence was, that having once omitted to make a payment they were afraid of making subsequent payments. The matter having been carefully considered by the Committee of the House of Lords, their Lordships came to the unanimous conclusion, among other things, that he was guilty of retaining in his own hands sums of money that ought to have been paid into the Exchequer, and that he had appropriated to his own private use various sums that belonged to the public. The Crown subsequently instituted proceedings in the Court of Chancery with reference to some other matters; and, with all respect to the right hon. and learned Gentleman opposite (Mr. Russell Gurney), he must state that only part of the case was tried before the Vice Chancellor. Upon the evidence that was laid before him, the Vice Chancellor decided against Mr. Edmunds, but observed, at the same time, that there was no charge against his moral character. ["Hear, hear!"] Hon. Gentlemen might cry "Hear, hear!" but the Vice Chancellor had not the whole case before him, the misappropriation of the £7,000 under the circumstances he had stated was not referred to on the part of the Crown. He (the Attorney General) was bound to state, however, that he had in his possession a letter from Vice Chancellor Giffard, which he was willing to show to the right hon. and learned Gentleman, or to any other hon. Member opposite, informing Mr. Greenwood that had he known the whole facts of the case the observation with respect to Mr. Edmunds' character would not have fallen from him.

MR. RUSSELL GURNEY remarked that the letter to which the Attorney General referred was probably written by the Vice Chancellor, after hearing a one-sided statement.

THE ATTORNEY GENERAL said, he was willing to show the letter to

which he had alluded to any hon. Member who might desire to see it. It was very unfortunate for Mr. Edmunds that the Vice Chancellor had made the complimentary remark to which he had referred, because it had encouraged him to proceed with an action he had brought against Messrs. Greenwood and Hindmarch, and to make extravagant demands against the Crown. Thereafter the right hon. and learned Gentleman opposite agreed to refer all matters in dispute between Mr. Edmunds and the Crown to arbitrators. [Mr. RUSSELL GURNEY: No, no!] He maintained that such was the case. He had been engaged in the case from the beginning, and knew all the facts. On behalf of Mr. Edmunds it was demanded that all his claims—legal, equitable, and moral—should be referred to arbitration. It was at first objected to on the part of the Crown to arbitrate upon his moral claims; but latterly they agreed even to include these claims. The hon. and learned Member for Tiverton (Mr. Denman), and Mr. Pollock—a counsel of great eminence—were appointed to arbitrate, Mr. Manisty acting as umpire. They were engaged 11 days in hearing the case, two or three being occupied by Mr. Edmunds himself, and they came to an agreement without calling in the umpire.

MR. DENMAN said, he wished to state that he and Mr. Pollock took especial pains to have it understood that they were not arbitrators either for the Crown or for Mr. Edmunds, but they entered into the case quite irrespective of persons.

THE ATTORNEY GENERAL said, he did not question that both the learned gentlemen were impartial. They agreed that a sum of over £8,000 was still due from Mr. Edmunds to the Crown in respect of money which he was bound to pay over, but had retained in his possession, and had put some of it out to interest for a number of years, and some of which he had used for the purpose of carrying on the trade in stamps. Mr. Edmunds had then the courage to assert that he retained that money purposely and advisedly, because he had applied once or twice to the Treasury for an audit but could not obtain one, and when asked to whom he applied he named two gentlemen, both of whom were dead, one of whom was Mr. James Wilson, the Se-

cretary to the Treasury. No letters, however, could be found making such application. Mr. Edmunds also said he told Mr. Wilson that he had several thousands of pounds in hand, which he desired to pay over on his accounts being audited, and he added that on hearing his statement Mr. Wilson shrugged his shoulders and said nothing; he would leave anybody who knew the late Mr. James Wilson to judge whether he was the man, in hearing that money was due to the Treasury, to say no more about it. If Mr. Edmunds had hinted anything of the kind he would have had a Treasury letter the next morning. According to Mr. Edmunds' own account what he desired was an efficient audit. Well, Messrs. Greenwood and Hindmarch were appointed for the purpose of investigating the whole question. Yet they found the greatest difficulty in getting at the whole facts, and only learned them from Mr. Edmunds under the influence of a threat. If ever the right of the Crown against the person was to be enforced, it surely should be enforced against Mr. Edmunds. How could this Prerogative of the Crown be enforced against small debtors if it was allowed to lie in abeyance in the case of the greatest Crown debtor of the century? If the House wished to repeal the power of the Crown to apply a summary process against any debtor, a Bill ought to be introduced in order that the matter might be thoroughly discussed; but as that power still existed the Treasury would have failed in its duty if it had not applied it to the case of Mr. Edmunds. Had the Crown treated him as a bankrupt Mr. Edmunds would not have been better off, for the Court of Bankruptcy might have dealt with him as a fraudulent debtor, in which case he would have been liable to imprisonment. He left the case in the hands of the House, submitting that they could not come to the conclusion that the Treasury had done wrong in this matter.

SIR JAMES ELPHINSTONE said, his right hon. and learned Friend (Mr. Russell Gurney) had opened the case as shortly as possible, while the hon. and learned Gentleman who had just sat down had gone into the case elaborately, arguing it as a counsel engaged on the other side against Mr. Edmunds, and the only thing he had proved—if he had proved anything—was that he him-



self had compromised a felony. The question was not whether the Crown had the right of imprisoning for debt or not, but whether the course pursued towards Mr. Edmunds was, on any ground whatever, justifiable. He (Sir James Elphinstone) had known Mr. Edmunds for 31 years, and he did not believe he was a fraudulent debtor. On the contrary, he agreed with the judgment of Lord Justice Giffard, and was of opinion that Mr. Edmunds was an innocent man. He therefore asked the House and the country whether it was right and becoming that the power of the Crown should be exercised to crush this unfortunate man? Here was a man who, at the cost of thousands of pounds, had defended himself against the vilest charges, and now, at the age of 69 years and five months, he was in prison, and was left there to die, and if he did die they knew where his blood would rest. ["Oh!"] Yes, he was near his three score years and ten, the period allotted to man. Although the decision against him was given last November, Mr. Edmunds was allowed to be free until he had brought an action against certain high officers. The moment it became clear that an action would be brought steps were at once taken to make it a remanet, and Mr. Edmunds was persuaded to postpone his action by means which were scarcely creditable. Three weeks ago Mr. Brutton waited on him (Sir James Elphinstone) just before he had started for a Committee of that House. He told him he came from Mr. Bradley, the Solicitor to the Treasury, for the purpose of negotiating Mr. Edmunds' release. He (Sir James Elphinstone) told Mr. Brutton that Mr. Edmunds ought not to consent to postpone the trial unless he first obtained his freedom; but he, at the same time, added that if Mr. Edmunds had an honourable understanding with the Treasury he would advise him to postpone his action, as it was a most inconvenient time for prominent Members of the Government to be asked to engage in such a matter. He wrote a note to the effect to Mr. Edmunds. Well, this gentleman, who represented that he was set in motion by the Treasury, went to Mr. Edmunds, in Whitecross Street Prison, and repeated his statement in the presence of Mr. Bernardo Shiel, who happened to be visiting Mr. Edmunds at the time. Mr. Edmunds said to Mr. Brutton—"I will

not give the required consent for the remanet unless I receive a *quid pro quo*. I require an exchange of papers—the consent on the one hand, the unconditional discharge from prison on the other." Mr. Edmunds spoke roughly and in the most decided manner. Mr. Brutton said that could not be done, as there were some red-tape formalities to be gone through, adding that his only object was to help him through his difficulties. If these persons were summoned to the Bar of the House they would prove the correctness of what he had just stated. Mr. Edmunds would never have given up the lever he had over the Government, only for certain promises held out to him; and now having been induced to withdraw by some means or other, the unfortunate man was to be kept in prison until next December. It was the opinion of his medical advisers that this would be most injurious if not fatal to his health. Sir William Ferguson, on the 4th of July, said he had just seen Mr. Edmunds in Whitecross Street Prison; that he had been in the habit of attending him for 20 years, that he had lately had an attack of erysipelas, that he had been always accustomed to bracing exercise in the open air, and that a long detention in prison would seriously affect his health. Dr. Waters also stated that he had been struck by the altered appearance of Mr. Edmunds, which he could only attribute to his present confinement. The case, if he was spared, would come before a jury of his countrymen in December, and then he would obtain that verdict to which he had a right. If it was adverse his friends might desert him; but he (Sir James Elphinstone) never would.

MR. DENMAN said, he felt bound to take part in this debate after the remarks which had fallen from the Attorney General; but it would be, of course, unbecoming in him to adopt one side or the other as regarded voting upon the question. He had attended frequently in that House whenever that Motion was on the Paper, because he thought it would be a proper opportunity of answering a charge made against him by the hon. Baronet (Sir James Elphinstone), who, however, he was quite aware, knew nothing whatever about the legal bearings of the question. He and his brother arbitrator had been charged on an occasion when he was not in the

House with having decided this case *ex parte*. Nothing could be more different from the fact than such a statement. When first appointed arbitrators, he, himself, and Mr. Pollock had distinctly given it to be understood that they only accepted the reference upon the understanding that they were to be joint arbitrators to all intents and purposes, and not the arbitrators of either party. They examined the evidence most carefully, and read all the Blue Books and documents which were prepared by both sides. They read those documents both during the hearing and afterwards, and they then met together to discuss the case, when they both took exactly the same general view of the case, and were of opinion that they could not do otherwise than make an award to the extent of over £7,000 against Mr. Edmunds. He ought, in justice to themselves, to say that the inquiry before the arbitrators was somewhat limited in its character though it was large in its scope. In the first place, they had, in accordance with the principle laid down by Vice Chancellor Giffard, as to the legality of certain transactions of Mr. Edmunds, to decide whether any money was due to the Crown, for the Vice Chancellor laid down a principle, according to which, if they found certain facts, Mr. Edmunds had no right to retain certain moneys, and by that principle they were bound. They also felt themselves almost bound not to award any costs against Mr. Edmunds, however much they might think he was in the wrong; because the Vice Chancellor had decided the question of costs in the Chancery suit not in Mr. Edmunds' favour, but still not against him, and they found themselves tied by the order of reference in that respect. Under the order of reference, they were empowered to say whether upon any moral grounds they recommended that Mr. Edmunds should be relieved from the payment of sums which might be actually due from him. In the sequel they did find that a larger amount than £7,000 was due from him; but they decided to advise the Crown to release him from the payment of a portion of the amount due. He wished to explain, however, that although they acted under that part of the order of reference which enabled them to recommend that Mr. Edmunds should be relieved from some portion of the strict claims against him

Mr. Denman

on "moral grounds," they did not at all mean to say that any part of Mr. Edmunds' conduct was meritorious or honourable to him. The arbitrators found that during a certain period Mr. Edmunds had been receiving a less sum than he might have expected to receive, according to the original terms of his employment, and therefore they remitted a certain portion of the amount due from him. The award of the arbitrators was founded upon a belief that Mr. Edmunds, who ought to have paid very large sums to the Crown, had wilfully, and with a full knowledge that he was doing wrong, kept back that money for a great many years, and made a profit out of it on his own account. That was the basis of the award, and it was on that ground that the arbitrators decided against him. He could not, therefore, say he looked upon Mr. Edmunds as free from moral blame. He had heard the opinion of Vice Chancellor Giffard quoted more than once as though it were directly in the teeth of the opinions of the two Commissioners, Mr. Greenwood and Mr. Hindmarch, the opinion of the Committee of the House of Lords, and the opinions of the two arbitrators. But Vice Chancellor Giffard himself had told him (Mr. Denman), after the award was made, that he had not read the Blue Books on the subject when the case was argued before him, and that if he had read them at the time he should have come to a very different opinion, and would have abstained from expressing anything like an acquittal of Mr. Edmunds from moral blame in his judgment. That he could vouch for as having been said to him by Vice Chancellor Giffard. He gave this explanation because of the attacks which had been made upon him and his fellow-arbitrator not only in the course of this discussion, but in Mr. Edmunds' pamphlet, in which the arbitrators were falsely charged with having resolved to conclude the arbitration by a certain day, and decided the case *ex parte* against Mr. Edmunds, the charge being accompanied with the line—

"So wretches hang that jury men may dine."

Whereas the matter had been most fully heard from beginning to end, and there was not a particle of foundation for any such statement.



DR. BALL said, that everyone who considered how unsuitable that House was for the discussion of legal questions must regret that a discussion of the nature of the present should have arisen. If legal questions demanded consideration, there were proper tribunals appointed by the Constitution for their decision. The bringing before that House in an indirect manner a charge against the execution of a law founded on an allegation of the illegality of the proceeding could have no justification, because if the commitment were illegal, the person arrested under it would be discharged from arrest. He, therefore, declined to give any support or assistance to any attempt here to impeach the proceedings, on the ground of illegality, or on the ground that a particular Act of Parliament was passed without its meaning or intention being understood. The law, as it existed, must be administered; and, if it were wrong, it must be altered by legislative interference, and not by indirect Motions or charges against the officers who were responsible to the public for its execution. Beside the objection that this was not the proper tribunal to decide, it appeared to him there also existed the objection to the discussion that it was most inexpedient. The hon. and learned Member for Tiverton (Mr. Denman) who, the moment he was appointed an arbitrator, became a Judge and utterly ceased to have anything to do with the case, except as it lay within the record placed before him, whose mind should have been incapable of receiving an impression upon the case, except in his judicial capacity, and who ought not to have been as it were forced to come forward to express an opinion upon the matter, had been brought into examination, and obliged to give a history of his mode of reading the Papers in the case, and of his conferences with his brother arbitrator, and to reveal matters which would more wisely have been secluded within the sacred precincts of judicial investigation. The right hon. Gentleman (the Recorder of London) had made that House a tribunal for entering into the conduct of two men, whose position, honour, and reputation at the English Bar were quite sufficient to protect them, without having to come forward in any other way. He did not approve of the mode in which the ques-

tion was brought forward; and he must say that he had not the remotest doubt as to the £7,000 being due, when he found it awarded by such men. Still it did not follow from that that he or any other Member of the House should be perfectly satisfied with the proceedings. When he came down to the House his impression was entirely in favour of the Crown; but the Attorney General had pointed out in his speech another mode of proceeding, which would have been much preferable to the one actually adopted, if it were open to the Executive—proceedings in bankruptcy.

THE ATTORNEY GENERAL said, he did not say that the Crown could have proceeded against Mr. Edmunds in bankruptcy; but that if they had been able to do so he did not think Mr. Edmunds would have fared better.

DR. BALL said, that he was not acquainted with the English bankruptcy laws, which were different from those in Ireland; but he must say that some such proceeding, if it could have been adopted, would have been preferable to one in which the Government made themselves the absolute masters and judges of the whole matter. Why had Parliament passed an Act which repealed the law for imprisoning a man for debt? Simply because it was not held right to imprison a man for a pecuniary demand. The tendency of the age was to abolish imprisonment except where there was a moral wrong in the case. But what had been done in this case? There was no finding of a moral wrong by any legal tribunal. Mr. Edmunds was arrested for £7,000, but it did not seem to have been considered what was to be done with him? Was there a period at which he could be discharged, or was it intended to detain him for life? for that was what the matter came to. The Government, when they took the step of arresting Mr. Edmunds, made themselves the judges of his misconduct or malversation. The Crown possessed a vast power in following and reaching goods which no private individual possessed; but instead of putting it in force in this case, Mr. Edmunds had been arrested, and the Government made themselves the judges as to his period of incarceration, for Mr. Edmunds could not take the benefit of the Insolvent Act. He had looked into such of the documents in the case as were before the House, and

he found that Lord Justice Giffard in his judgment declared, as to some part of the case, that it arose from an unfortunate Act of Parliament passed in reference to a state of circumstances which changed immediately afterwards. And Lord Justice Giffard also judicially declared that the arguments and evidence placed before him had been successful in clearing the character of Mr. Edmunds from all imputations. That was the solemn judgment of a learned Judge; but the whole effect of it was to be frittered away by a letter not on sworn testimony, not after argument by counsel, not after all the advantages had been accorded which the law gave to every man who demanded inquiry, but on the private question and application of the Attorney General or of the arbitrators.

MR. DENMAN denied that he had ever said that it was upon his application that Vice Chancellor Giffard had made the observation he had quoted. It was a purely voluntary observation made by the Vice Chancellor to him.

DR. BALL said, that did not, in his opinion, make the least difference. It was an alarming principle that the decision of a Judge in his judicial capacity was to be frittered away by private conversations, because there was no case ever decided in which it might not be said that though the judgment pronounced on the Bench pronounced one thing, yet the conversation of the Judge afterwards over the dinner table asserted another. Mr. Edmunds got the office, as he understood the facts, with an agreement that the present Lord Brougham was to receive a proportion of the salary, and it was said that that noble Lord admitted that he had received £9,000 from the emoluments of the office while the whole salary was but £400 a year. Now was that office, or was it not, under the control of the Lord Chancellor, and ought not successive Lord Chancellors or Chancellors of the Exchequers to have kept their eyes upon it? Had there not been gross *laches* on the part of the Crown? Had not successive Governments given a sort of connivance to what had taken place by abstaining from interference? Then, he asked, was it not hard that the Government should suddenly turn round upon Mr. Edmunds and say—We will bring you to account. You have had £7,000 out of the office you had no

right to; but we close our eyes to the fact that out of the income £9,000 has gone to Lord Brougham. Surely that was a matter to be inquired into; but *Ille crucem tulit hic diadema*. The condemnation fell upon Mr. Edmunds alone, although he had come under the notice of several Chancellors; and although the demand arose under an Act of Parliament, passed under different circumstances, and he was ordered to pay the whole as if it was a plain and simple transaction. It seemed to him that, unless no excuse could by possibility have been given for his conduct, and that it was plainly and undoubtedly morally wrong, the imprisonment of Mr. Edmunds was extremely harsh, and that every other means which could have been suggested ought to have been tried before this proceeding was taken. But, without any judicial condemnation of him as morally guilty, Government acted as judge and executioner in their own case.

MR. SERJEANT SHERLOCK said, he thought it was rather unfortunate for Mr. Edmunds that his case had been brought before the House. Regular proceedings were instituted against him, and he defended them, and the result was that he was found to have incurred a very heavy debt to the Crown. The exculpation pronounced by the learned Judge was purely voluntary, and the last act of the Judge must be taken as explaining why he wished to retract what he had stated in his judgment. But again the matter was referred to the arbitration of two gentlemen of unimpeachable character, who went out of their way to say that not only legally, but morally, Mr. Edmunds was a debtor to the Crown in £7,000 or £8,000. The Crown had therefore no option but to proceed upon the decision, and all that could be said in mercy to Mr. Edmunds was that he had now no means to pay this debt, and was in his 69th year, and in bad health. There was no defence, and yet it was made an accusation against the Officers of the Crown that they had done their duty. The friends of Mr. Edmunds had injudiciously entered into details which would not bear investigation; whereas, if they had appealed *ad misericordiam* to the Crown, the circumstances of his present position might have been taken into consideration, and he (Mr. Serjeant Sherlock) would then have been prepared, for one, to support

*Dr. Ball*



the case. As it was, Mr. Edmunds had been imprisoned by his own default.

SIR ROUNDELL PALMER said, nothing could be more disagreeable, or more opposed to the general rule on which he acted, than for him to take part in a debate relating to matters in which he had been officially or professionally concerned; but he felt that he should be doing some wrong to his hon. and learned Friend below him (the Attorney General), and those who shared with him in the responsibility of the Government, if he were to be entirely silent upon this occasion. He desired to remind the House that the proceedings against Mr. Edmunds were, as nearly as possible in substance, although not in form, taken under the direction of the House. There had been inquiries, and the results had been made public, and the matter had been carefully examined by a Committee of the House of Lords, who considered that he had been a defaulter in respect of public accounts committed to his care, out of which he was considered to have made illegitimate profit. Frequent questions were asked in that House, and pressure was put upon the Government of the day to compel them to take some effectual proceedings against Mr. Edmunds. It was considered most proper to adopt the civil form of procedure, as being that least accompanied with harshness, and a course which would enable the Crown to avoid, as far as possible, introducing any unnecessary imputations with regard to personal conduct. In the bill filed in Chancery the case was stated as drily as possible, the Officers of the Crown confining their statements to what was strictly necessary for the purpose of obtaining a decree for an account, the proper civil remedy. When the case came before the learned Judge, they directed their arguments—as they had also directed their evidence—to that point alone. Somewhat unexpectedly, though perhaps not unnaturally, the counsel for Mr. Edmunds went into those points of personal crimination which the Crown had abstained from touching. It was, therefore, almost inevitable that the learned Judge—whose name it was impossible to mention without a deep sense of the serious loss which the country had sustained by his death—should be induced to soften the decision upon the points of law which he felt compelled to pronounce

by saying that, as the matter came before him, the explanations offered by Mr. Edmunds appeared to be such as might relieve his character from imputation, though insufficient to prevent a decree for an account being made against him. But it was a total misapprehension to suppose that the learned and excellent Judge was expressing, or could by any possibility have then given, a final opinion upon the real merits of the case, which were not, and could not be fully before him until the particulars and the general result of the account were seen. What was said on that occasion was quite consistent with the subsequent award. It would be an unfortunate circumstance if anything which might take place in the House should give countenance to the notion that persons intrusted with public money could be allowed to be so lax in their accounts as to have the opportunity of making use of any portion of the money for their private purposes. He trusted that nothing would be said or done in Parliament which might lead to the conclusion outside, especially among public officers, that the House looked upon matters of this kind more leniently and indulgently at the present time than it did in the year 1865.

MR. HORSMAN said, that he and Sir James Fergusson had been requested to look into this case. Subsequently it had been submitted to arbitration, and he would not have the presumption to question the judgment of the arbitrators. He did not, however, admit that the case before the House was simply that of the Crown and Mr. Edmunds. The question was not whether Mr. Edmunds had acted rightly or wrongly, but whether, imprisonment for debt having been done away with in civil cases, Mr. Edmunds, who had not been previously convicted as a fraudulent debtor, should be shut out from the benefit of that change in our law. Though four learned Gentlemen of great ability had addressed the House from the Government side, not one of them had applied himself to that point. It should be admitted that while the Government possessed this exceptional power they were bound to exercise it with great discretion, under great responsibility, and bearing in mind that they should give no occasion for any suspicion of animus in whatever they did. It was an unfortunate coincidence,

calculated to produce a bad effect out-of-doors, that when Mr. Edmunds commenced an action for libel against the Treasury, at once the Treasury should have sought to incarcerate him. The public at large, not being as well informed on the matter as the House of Commons, might think that a cruel proceeding, though the House did not think so. They knew that the Attorney General and the Chancellor of the Exchequer divided between them the honour of Mr. Edmunds' incarceration, and they knew they were both humane men. The Attorney General was a man of great humanity, who would not tread upon a worm; and the Chancellor of the Exchequer was well known to have the tenderest of hearts. It might truly be said of the right hon. Gentleman, as it had been said of Kirke White, that "he was not only overflowing with the milk of human kindness, but he monopolized the whole of the cream." What could they obtain from this shattered old man? He had been in possession of a valuable appointment. That was gone. He would have been entitled to a pension for long service. That was gone. He had occupied a good position in society. That was gone. He had had ample means of livelihood. They were gone. Even his health was shattered. How much lower was it necessary to bring him? They might take his life; but would there be any advantage to the public in that? The British public were in favour of justice to the fullest extent; but they abhorred anything like persecution. And he must express his own opinion that anything which had the semblance of persecution was a degradation to the position of the Law Officers, and to the Government under which they served. He did not see what public interest could be served by the incarceration of a poor, ruined, and borne-down man from whom nothing more could be obtained.

THE SOLICITOR GENERAL said, that if the Motion invited the House to pass almost a Vote of Censure upon the Law Officers of the Crown, he was sure the House would readily agree that a case had not been made out for any interference on the part of Parliament. He thought the House would rather concur in the opinion of the right hon. and learned Gentleman opposite (Dr. Ball), in declaring that to bring to the

*Mr. Horsman*

Bar of the House of Commons questions of law, and to discuss them as political and even party questions, was a highly objectionable course. We had been told, on high authority, of the disadvantages which would arise if gentlemen holding high judicial positions were allowed to occupy seats in the House of Commons. He would not express any opinion on that as a general proposition; but if right hon. Members eminent in their judicial position, most eminent in their character, and most admired for their antecedents in that House, were to bring to the Bar of the House of Commons other Judges, and to almost impeach the legality of their proceedings, then one might be led to doubt whether the presence of other Judges in that Assembly would be an advantage. What had been done in this case? Here was a gentleman with whom the Government had nothing whatever to do. Mr. Edmunds was personally unknown to him. When he took Office he and his learned Friend the Attorney General found that proceedings had been instituted against Mr. Edmunds by his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), and it was in progress when his hon. and learned Friend was in Office. The case was referred by the Treasury, at the earnest instance of Mr. Edmunds himself, to arbitration, and it was referred upon the principles laid down by Vice Chancellor Giffard, who carefully conducted the case so as not to raise moral questions. If Vice Chancellor Giffard gave a moral judgment it was an extra-judicial one, given for the purpose of making a disagreeable judgment as agreeable in manner as was possible. At the earnest instance of Mr. Edmunds, the case was referred to arbitrators, one of whom was chosen by himself and the other by the Government; and they decided that Mr. Edmunds, in addition to nearly £8,000 which he had paid over, under terror of exposure, was justly indebted to the Crown to the amount of nearly £8,000 more. When asked to make an explanation Mr. Edmunds conducted himself as a man who was guilty of malversation and paid over the £8,000. A suit was, therefore, instituted for the recovery of £7,000, and as Mr. Edmunds would not pay what else could they do? How could they avoid putting into execution the powers with which they were



clothed? His right hon. and learned Friend (Mr. Russell Gurney) must know that, although imprisonment for debt had been abolished, this did not hold good with regard to a debtor to the Crown. What argument against the exercise of this power was it to say that this gentleman was 70 years of age? With respect to the sarcasms thrown out by his right hon. Friend (Mr. Horsman) against his right hon. Friend the Chancellor of the Exchequer and his hon. and learned Friend the Attorney General, he (the Solicitor General) was quite ready to share the responsibility of sanctioning what had been done. The power in question was a most salutary power, and one without which it would be impossible to collect a large portion of the Revenue. He thought it right that, when a portion of the public money had been misapplied, extraordinary power should be exercised.

MR. RUSSELL GURNEY said, he thought it necessary that he should say a few words in reply. He had been astonished to hear the hon. and learned Solicitor General say that he had been guilty of bringing the Judges to the Bar of that House. Anything more unlike the course he had really pursued than that statement could hardly be conceived. Not a single word had fallen from him that could bear the interpretation put upon his remarks by the Solicitor General. From the commencement to the end of his observations he had said he was not going into the merits of Mr. Edmunds' case. He had called attention to the only judicial judgment on record in the matter—namely, that of Vice Chancellor Giffard. The hon. and learned Member for Richmond (Sir Roundell Palmer) said that information was filed in a way that would bring not the criminality, but the conduct of Mr. Edmunds before the Vice Chancellor; but the very things which had formed the substance of the Attorney General's speech were pressed by the hon. and learned Member for Richmond and Mr. Wickens before the Vice Chancellor, and having those matters before him the Vice Chancellor came to the decision which he had stated—namely, that there was no criminality, that it was a simple case of debtor and creditor, that Mr. Edmunds was legally liable, and that was all. He had brought that matter before the House, having been asked to

do so, as an important constitutional question, and he had urged that at a time when the public believed, and the House believed, that imprisonment for debt was abolished, except in certain cases specified in the Act of Parliament, they found, in that which was declared by the only judicial decision upon the case to be a mere debt, the Crown was enforcing payment of the debt by the odious mode of imprisonment, which was condemned by the moral sense of the country. The speech of the Attorney General that night was a kind of rehearsal of the speech he would have to make next November, and it was scarcely becoming in the principal Law Officer of the Crown to make a strong *ex parte* speech in that House in respect to a case in which he was subsequently to appear before a jury. He had distinctly told the learned Attorney General beforehand that he was not going into the merits of the case, but simply into the question of imprisonment for debt. He had strictly followed that course, and yet the hon. and learned Gentleman had thought fit to enter into matters which were hardly becoming the position he occupied.

THE ATTORNEY GENERAL rose to explain. [*Loud cries of "Oh, oh!"*]

THE DEPUTY SPEAKER (Mr. DODSON) ruled that the hon. and learned Attorney General might give an explanation of what he had said.

THE ATTORNEY GENERAL wished to remark that he complained that his right hon. and learned Friend had said he would not go into the merits of the case, and then had proceeded to enter into them.

SIR ROUNDELL PALMER also desired to explain. [*Loud cries of "Divide!"*]

THE DEPUTY SPEAKER (Mr. DODSON) ruled that the hon. and learned Gentleman might claim to speak in explanation.

SIR ROUNDELL PALMER said, that his right hon. and learned Friend seemed to think that he had convicted him (Sir Roundell Palmer) of inconsistency when he referred to his argument before Vice Chancellor Giffard. What he had said was that he had not then gone into matters of a personal kind. The passage to which his right hon. and learned Friend referred simply stated the facts, which were necessary to entitle

the Crown to the account which it sought and obtained, and which raised the questions of law, upon which the Judge decided that Mr. Edmunds was wrong.

*Ordered*, That there be laid before this House, a Copy of any Warrant or Order of Court for the commitment to prison of Leonard Edmunds at the suit of the Crown.—(Mr. Russell Gurney.)

#### METROPOLIS—HYDE PARK.

##### THE SERPENTINE—RESOLUTION.

CAPTAIN GROSVENOR, in rising to call attention to the nature of certain works in progress at the Serpentine; and to move, "That, in the opinion of this House, the bed of the Serpentine, after being thoroughly cleared of mud, should be filled up so as to leave a maximum depth of six feet in the summer months, reducible to four feet in the winter months, with an easy slope from the banks, and an adequate supply of fresh water should be secured so as to cause, during the summer months, a constant outfall at the lower end," said, that for 20 years the state of that river had been a cause of public agitation, and 12 years ago £1,000 was voted for the purpose of carrying out a filtering scheme, though he had not been able to discover whether the process then suggested had ever been tried. Last October business-like preparations were made for altering the river according to popular requirements, and since then any inconvenience which had resulted from the works in progress had been cheerfully borne in the hope that the public would at last have a piece of water which would insure the health and safety of the large population which resorted to it. For some time past, however, that prospect had been fading away, and it was now found that the First Commissioner had no such boon in store, much disappointment being thereby caused in the public mind. As to the present plan, it had been deprecated without reference to party, and while he did not accuse the First Commissioner of having originated it, he thought the right hon. Gentleman could hardly complain of having to bear criticism since he had shown such a determination to accept the plan as his own. The Press assailed him, but found him indifferent; deputations waited upon him, but he seemed to think they would do better to mind their own business. It had, however, been recently ordered that the mud should be removed from a por-

tion of the bed of the river, and for this concession he was grateful, as it would prevent pollution; but, as regarded the safety of human life, he contended that the scheme was worthless. There was a difference between what the public required and what the right hon. Gentleman was willing to do in order to render the Serpentine pure for bathers and safe for skaters. As to purity, the First Commissioner offered something which would not insure that condition unless provision was made for a frequent and regular supply of fresh water; while as to safety, the plan was such that only the ignorant or foolhardy would trust to it. In order to insure purity it was necessary that three things should be done—first, the bed of the river must be thoroughly cleansed from mud; secondly, the bed must be filled up to a certain extent with gravel or some other hard substance; and, thirdly, there must be a regular supply of fresh water to replace that which had been polluted by the bathers. But according to present arrangements there was no provision of that kind, though it might easily and cheaply be done by uniting the Round Pond at Kensington with the reservoir of the Grand Junction Water Works, which was distant only 1,200 yards. The most important of all the questions connected with the Serpentine was the safety of the public, and that could only be done by filling up the bed of the river to a reasonable depth. He admitted that that would be attended with expense; but he did not know how the public money could be expended better than for the safety of the public, while, when the outlay had been made a saving would be effected, for a shallow lake would not require so much water to be sent through it as a deep one would need. There was a certain proportion of bathers who could not swim, and another proportion who were not five feet high; and for these he should recommend an easier slope in the bank than one in six, for which his right hon. Friend conceived he had the authority of nature as exemplified at the sea shore. Further, in the interests of safety, he would suggest that a maximum depth of six feet in summer should be reduced to four feet in the winter months. He admitted that the suggestions he had made involved expenditure; but he denied that they involved extravagance. Further, he ventured to say that if this

*Sir Roundell Palmer*



favourable opportunity were lost, if the works were completed according to the present plan, and the Serpentine left with a depth varying from 8 to 14 feet, the time would soon come, though not perhaps until the recurrence of some such awful catastrophe as that which happened in Regent's Park a few years ago, when a greater sacrifice of public convenience and public money would have to be made. The hon. and gallant Gentleman concluded by moving his Resolution.

MR. BAILLIE COCHRANE said, he had a similar Notice on the Paper; he would not, however, bring it forward, but would second the Motion of his hon. and gallant Friend. He felt a certain diffidence in doing so on account of some remarks of the First Minister the other day, that he, a Member for the Isle of Wight, should speak on metropolitan improvements. He had to apologize for what he had done, having been 18 months out of Parliament; but as the right hon. Gentleman was not then present, he would not trouble the House with the few remarks which otherwise he should have made on the subject. He wished to call the attention of the Chancellor of the Exchequer to the matter before the House in the interest of economy, which he so ably represented. The first principle of economy was to do well what one had to do, and never to do what would have to be done over again. Some years ago £1,700 was spent upon the filtration of the water of the Serpentine, and that money had been entirely thrown away. Last year £13,000 had been expended on the works, and this year there was a Vote for £8,000 more, and if it ended there all that money would be thrown away also. He believed that the First Commissioner of Works was now willing to spend £5,000 more to get rid of the mud; but even that also would be thrown away as far as the interests of the public were concerned. He formed that opinion from the numerous letters he had seen on the subject. The proposed maximum depth of 14 feet would be much increased when the mud was all removed; but when that was done would the public be satisfied? It would not. It was impossible to suppose that there could be any safety to the people who bathed in the Serpentine if they had that depth of water. The Report of the Committee of 1861 recommended that measures

should be taken to make the bed of the Serpentine clean and hard, that it should be covered with concrete and then with gravel, and that provision should be made for the safety of bathers and skaters. The sum they fixed on was £50,000, and they said that when a large sum of money was being spent the opportunity should be taken of beautifying the Serpentine. The present opportunity might be turned to account by the formation of islands, which would go far to beautify the water, and would enable the right hon. Gentleman to exercise his great powers of imagination and to put to good use the mud which at present he did not know how to get rid of. In 1868 there were half a million of bathers in the Serpentine; were they going to consult the interests of these people? The right hon. Gentleman had said the other day if they could not bathe there let them go elsewhere. Would the right hon. Gentleman say what he meant by that? Did he mean that they should bathe in the Thames? All he asked was that the public money should not be spent without anything satisfactory being done for it, for certainly it would be much better to spend £50,000 upon an admirable and beautiful work than to spend £26,000 without giving any satisfaction. This was a question of common sense—to know how the works might be executed efficiently. If they were to defeat the Government to-night on this point, they would be doing a good public work.

Motion made, and Question proposed,

"That, in the opinion of this House, the bed of the Serpentine, after being thoroughly cleared of mud, should be filled up so as to leave a maximum depth of six feet in the summer months, reducible to four feet in the winter months, with an easy slope from the banks, and an adequate supply of fresh water should be secured so as to cause, during the summer months, a constant out-fall at the lower end."—(*Captain Grosvenor.*)

MR. GOLDNEY questioned the propriety of making a great bathing establishment at the expense of the Consolidated Fund; and denied that the Serpentine was the proper place for such an establishment. He admitted it was absolutely necessary that the mud should be cleared out. With regard to the water in Regent's Park, after all the money that had been spent everybody was complaining of its present state. [Lord JOHN MANNERS: It is perfectly safe.]

That might be; but there were great complaints about the state of the water. He believed that in stagnant water there should be considerable depth to obtain what was called an under-current; and that the growth of water plants should be encouraged to absorb the noxious gases. If bathing establishments were to be erected in the metropolis, the very worst place in which they could be established was the Serpentine. The late Committee obtained a large Vote for the purposes of carrying out improvements founded upon scientific evidence. The House and the public would do well to see the contract then entered into faithfully carried out. To carry out the views of the hon. and gallant Member who made this Motion (Captain Grosvenor) he thought would be most objectionable as far as the interests of the general public were concerned.

VISCOUNT GALWAY said, he had visited the place the other day, and that he had come to the conclusion that the mud which he saw sticking there ought to be removed. Those, however, who went to bathe in the Serpentine ought, he thought, to be able to take care of themselves. There was a humane Society close at hand; and, in short, everything to accommodate those who wished to be drowned. Men went into the Serpentine and got glasses of brandy, hoping to see their names mentioned in *The Times* the next morning; but since they found their names were not inserted the numbers had decreased. The slopes at the side had, in his opinion, been very well executed, and all that was required was a sufficient coating of gravel. [An hon. MEMBER: The depth is to be 14 feet.] Well, a man could be drowned in three feet of water as well as in 14 feet, as he could assure the House from his own experience. He recollected skating in the old days, when there was a round circle at the end of the skates, and having got into the water he found he could not get up, so that he had never been so near being drowned in the whole course of his life. The fact was that if a person got under water with skates it mattered very little what the depth was. He thought there was a great deal of humbug about this question. The great thing, in his opinion, would be to have a stream of water through the Serpentine, for by that means its purity would be best secured.

*Mr. Goldney*

MR. AYRTON said, he did not in the least complain of his hon. and gallant Friend the Member for Westminster (Captain Grosvenor), or of the hon. Member for the Isle of Wight (Mr. Baillie Cochrane), for having brought the subject forward, because he was of opinion that the treatment of the public parks was a question which ought not to be altogether disposed of by metropolitan Members, seeing that the expenditure upon them was paid out of the national funds for what might very fairly be regarded as national objects. He wished, however, to make one or two remarks, not to justify himself, for he had no need of justification, but his Predecessor in Office, who had really made the contract which was the subject of the present discussion, and for which a grant had been made last Session. The subject was one which had engaged the attention of the Board of Works for the last 15 years. Lord Llanover, who at the commencement of that period occupied the position which he had the honour to hold, considered the question, and had arrived at the conclusion that it was not necessary to remove from the bed of the Serpentine the immense accumulation of mud which had collected there for many years. The matter was again under consideration in 1859, and the opinion of Mr. Hawksley, the eminent engineer, was taken upon it, who came to the same conclusion. Subsequently the noble Lord the Member for North Leicestershire (Lord John Manners) took up the question with the advantage of the investigations which had previously been made. He examined all the different plans, and he, too, was of opinion that it was wholly unnecessary to remove all the mud. His immediate Predecessor in Office decided that the Report of Mr. Fowler, another eminent engineer, was one which ought to be adopted, and he had submitted a contract, after a careful analysis of the circumstances, which had been sanctioned by the Vote of the House last Session. By that contract it was provided that there should be a gradual slope at the side of the water of from one foot to six, thus allowing an ample space for the purposes of safe bathing for persons of any size. There was also to be a gradual slope from one end of the water to the other to the depth of 14 feet. The contract was without any difficulty for



a considerable period. But during the earlier part of the Session he had stated that the work was one of considerable difficulty, and he believed he was the first to throw doubts upon the likelihood of those difficulties being overcome. The operation of drying the mud was carried on slowly during the winter months, and with greater ease as the weather became warmer. The engineer had permission to extend the contract if he found its performance was hindered by the weather; but, finding that it was not completed within what he regarded as a reasonable time, he called upon the engineer to fix a time for its completion. The answer which he received was not in his opinion sufficiently precise, and he intimated that steps must be taken to secure the execution of the work. The consequence was that he received a reply a few days since stating, in point of fact, that the contractor had failed to perform his contract. If the contract had been duly executed, it would have been sufficient that the mud after being dried should be coated with gravel and clay. Finding however, that the contract could not be carried out, he had given instructions that it should be performed in what appeared to be the only practicable way—by removing the mud entirely and substituting an equivalent of gravel and clay, a process that would, however, entail an additional expenditure of £5,500, which would await the sanction of the Treasury and the House, but he had no doubt of obtaining the necessary amount. Now he might mention that it was not a very easy thing to fill up the Serpentine in the manner proposed by his hon. and gallant Friend the Member for Westminster. To get sufficient material from the Park itself, to reduce the depth from 14 feet to five or six, would require the excavation of nearly as large a space as the Serpentine itself, and if the material were carted in from outside the operation was not one that would be carried out with any great rapidity, nor was it one that it was desirable to undertake while the bed of the Serpentine was empty. The cost of such a work was at first roughly estimated by the engineer at £18,000; but on further consideration that gentleman had written him, and, after retracting that estimate, had said he did not believe that the work could be done for less than £28,000. But, in any case, the work if done at all

could just as well be done when the Serpentine was full as it could now. Now, two reasons were assigned for the necessity of this work. It was said that people who bathed might possibly be drowned; but he did not believe that the depth of six feet suggested by his hon. and gallant Friend the Member for Westminster would be safe to all, while for some distance from the shore the Serpentine would under the present arrangement be shallow enough to suit everybody, and if it were necessary to take any precaution, that could easily be done by putting a railing or chain beneath the water to prevent people venturing into depths which were dangerous. But it would be well for the House to consider, before it pledged itself in the manner proposed, whether it was advisable to continue on the banks of the Serpentine a system of bathing which was at once indecent, disgusting, and obscene. He had certainly witnessed much in Asia and Africa; but he had never seen anything which could approach to the obscenity exhibited in this direction. If the Serpentine were to be reserved as a bathing-place for the inhabitants of the neighbourhood it was well to consider whether the expenditure required ought not to be defrayed by those who were more immediately benefited instead of being placed on the public Exchequer. He believed, however, that there ought to be no difficulty in drawing up an adequate scheme of public bathing—a scheme by which the wealthier few should pay and the others enjoy the luxury they so much coveted free of expense. At all events, he would submit that it was extremely desirable that the House of Commons should declare that they were to have this system of public bathing not confined to one portion of the Serpentine, but spread, as the Resolution of his hon. and gallant Friend the Member for Westminster seemed to contemplate, all over this piece of ornamental water. He thought that in the next Session the subject might well be considered carefully. The danger which it was said would arise in the winter occurred to two or three people in one or two years, who persisted upon going on the ice in spite of all warning, and the House ought to consider whether it should incur this large expenditure in order to meet the requirements of those eccentric people. [*Laughter.*] He cer-

tainly did call them eccentric. If he found that the ice was rotten, he should refrain from going on, and so, he thought, would most rational people. What they ought to do was to take upon themselves, as guardians of the Parks, to prevent people going on the ice unless it was safe—a thing which it was not at all difficult to ascertain. There was, however, danger of a different character in a piece of water of uniform shallowness by the formation of noxious growths, which could only be prevented by inequalities of depth. With that object, and on the strength of scientific opinion, the bottom of the Serpentine had been arranged. In St. James's Park it had been found necessary to draw off the water every year and scour the bed, and, though this process had not been found very difficult or expensive in the case of St. James's Park, it would be a serious matter if they had to pursue the same course in the case of the Serpentine. The same result had been found to attend the lowering the depth of the water in Regent's Park, and he had already received complaints upon that subject. He trusted that the House would not immediately and precipitately express an opinion upon this subject, especially as the work, if done at all, could as well be done later as now. He hoped the hon. and gallant Member for Westminster would be satisfied in knowing that there would be a solid bed to the Serpentine composed of gravel and clay, and that he would be content to leave the other questions to be considered hereafter if necessary, so as to meet the requirements of the times.

LORD JOHN MANNERS said, in reference to the ornamental water in the Regent's Park, great complaints had been made respecting the arrangements made after the lamentable accident which occurred there about three years ago. The fact, however, was that the arrangements agreed upon had never been carried out. It was intended that the depth of the water should be 5 feet in summer, in order to prevent it becoming stagnant, and 4 feet in winter to prevent accidents to skaters; but the medical officer of Marylebone, Mr. Whitmore, reported on the 8th of the current month to the following effect:—

“On my inspection of the mains yesterday afternoon I went over every part of it, and nowhere could I find a greater depth than 4 feet,

while in many places the depth was only 3 feet 6 inches.”

That gentleman recommended, as he had himself formerly proposed, that the depth should be increased to 5 feet in the summer time. He did not wish to enter into the question of the Serpentine. The right hon. Gentleman had given a correct sketch of its history, with one exception, as he had made no allusion to the full and able Report made in 1858 or 1859 by Mr. Page, and laid upon the Table of the House. Mr. Page recommended that the mud should be applied to the formation of an island, which should screen the present ugly eastern end of the lake. With respect to the right hon. Gentleman's statement as to the works proposed to be executed, he was not inclined to find any fault with it.

MR. T. CHAMBERS said, that if any justification of this Motion were required the speeches of the present and of the late First Commissioner of Works would furnish it in abundance. The right hon. Gentleman had stated that the present works in the Serpentine were undertaken after 15 years of consideration, at the end of which time a contract was entered into that did not include the removal of the mud. A great public agitation was raised on this point, and now the First Commissioner admitted that the public were right, and that the mud ought to be removed. The public also desired that the Serpentine should be less than 14 feet deep, and the only reason for not complying with that wish was the cost of partially filling up the river: 500,000 persons bathed there in the season, and as bathing in the Serpentine could not be stopped, the river might as well be rendered as safe for bathers as the ornamental water in the Regent's Park was for skaters. He thought that if the public were to agitate a little more his right hon. Friend would give way.

SIR HENRY HOARE said, that with a little more pressure the public would get from the Chief Commissioner all they required. To retain the mud in the Serpentine would be to continue the place one of great danger. He was glad to find that £5,000 was to be expended in removing the mud. As the Chancellor of the Exchequer had £300,000 or £400,000 surplus this year, and as he was paying off the National Debt at the rate of £5,000,000 or £6,000,000 per



annum, the House might well consider the advisability of voting £20,000 for making the Serpentine safe for recreation of those Londoners who took their pastime therein.

MR. HAMBRO said, that because a few persons were drowned in the sea every year from bathing they might as well call upon Government to make sea bathing safe as to call upon it to make the Serpentine safe for those who chose to bathe in it.

Question put.

The House *divided*:—Ayes 46; Noes 149: Majority 103.

RICHARD FENNELLY.

MOTION FOR AN ADDRESS.

MR. McMAHON, in rising to call the attention of the House to the case of Richard Fennelly, convicted of Bribery at the last Election for Bridgwater, and of the circumstances under which he was induced to confess his participation in such Bribery, and was, notwithstanding, refused a Certificate of Indemnity; and to move a Resolution, said, he proposed to confine himself to this point—that, the House having created an extraordinary tribunal for discovering the secrets of corrupt practices, the Commissioners who were sent down to examine into the election at Bridgwater were mistaken in the course they pursued in not examining Mr. Fennelly and giving him a certificate. Mr. Fennelly had been examined by the secretary to the Commissioners, Mr. Purcell, and he afterwards wrote to them to say that, being under the impression that that gentleman had authority to examine him, he had given him all the information he required, with the firm belief that he was to be afterwards examined by the Commissioners themselves. The Commissioners, however, had not examined him, and it was greatly to be deplored that they did not adhere to the ordinary rule in such cases and hear both sides. The consequence had been that Mr. Fennelly had been refused a certificate, and that he had been prosecuted by the Attorney General. It was true it was stated by the Commissioners that they had never given any authority to their secretary to convey to Mr. Fennelly the idea that they intended to examine him; but it was clear that the influence of the secretary

had induced him to make a confession of guilt, and there was, therefore, an implied understanding that having made that confession he would not be prosecuted. Mr. Fennelly under those circumstances had, he contended, a right to expect that he would be protected; and, when the matter had afterwards come before the Court of Queen's Bench, Mr. Justice Blackburn said that the point was one rather for the decision of the Secretary of State. One could not tell what might be the result of an application to the Secretary of State; but he thought that before deciding in such a matter the Secretary of State ought to hear the opinion of that House; and the House ought to see that a conviction had not been obtained by means which were in any way questionable. He moved the Address of which he had given Notice.

SIR JOHN ESMONDE, in seconding the Motion, said it appeared from the correspondence that the letter of Mr. Gould the acting secretary to Mr. Fennelly had been written with the knowledge of the Commissioners. Mr. Gould distinctly stated that it had been. In that letter Mr. Fennelly was told that he would be examined.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to grant a free pardon to Richard Fennelly."—(Mr. McMahon.)

MR. EYKYN said, the extraordinary conduct of the secretary to the Commission led him to doubt whether they might not apply to the authorities on the Treasury Bench for some modification of the position of Mr. Fennelly.

THE ATTORNEY GENERAL said, that no one but an Attorney General could appreciate the difficulties of a prosecution for bribery. If everyone who was examined, or who had been summoned for examination, received a certificate there would be very few prosecutions for bribery. He thought the granting of certificates ought to be a matter for the Commissioners; but what was now asked was that he or the Home Secretary should review the decision of the Commissioners in respect of the refusal to grant Mr. Fennelly a certificate. But the Commissioners denied that they had caused Mr. Fennelly to be informed that he would be examined as a wit-

ness. The Commissioners stated on oath that they gave no authority express or implied to their secretary to give any pledge or assurance to Mr. Fennelly that he would be examined, and that their secretary never communicated nor suggested to them that he had given Mr. Fennelly any pledge or assurance to that effect. In his belief, Mr. Fennelly gave but very partial disclosures, almost all of which went, as far as they did go, in his own favour, and the case against him had been proved by the evidence of independent witnesses. His belief was that the Commissioners had acted in a perfectly right way, and had exercised a wise discretion in doing what they had done. He, for one, could not undertake to say that Mr. Fennelly ought to have had a certificate, or that his sentence had been too severe. The matter now rested with the Home Secretary; but he was bound to state that he did not himself see any ground for interfering with the sentence.

MR. J. LOWTHER said, he thought the Attorney General had, with more than his usual skill, evaded the question. The Commissioners guarded themselves by saying they gave no instructions to their secretary to examine Mr. Fennelly; but they did authorize their secretary to conduct a preliminary inquiry by putting questions to persons who were to give evidence which might criminate themselves, and they could not be exonerated from the consequences of their secretary's acts. He maintained that the Commissioners through their secretary constructively examined Mr. Fennelly, and that they were bound by what he had done.

MR. BRUCE said, the memorial addressed to him to induce him to recommend Her Majesty to extend her prerogative of mercy to the person who had been the subject of this discussion was of a very unusual character, being signed by upwards of 100 Members of Parliament. Such a memorial would, of course, demand very careful consideration. That consideration he had given to it; but he had arrived at the conclusion that the gentlemen who signed it were not fully alive to the facts of the case. There could be no doubt that Mr. Fennelly had been guilty of gross bribery—bribery for which the punishment inflicted was not too severe. It should be remembered that the Commissioners

stated that the reasons which induced them to refuse Mr. Fennelly his certificate were entirely independent of his statement to Mr. Purcell. The evidence on which Mr. Fennelly was convicted was entirely independent, as Mr. Justice Hannen had stated to him, of evidence which he had furnished. It was, of course, possible for the House to overrule the decision which he had arrived at, a decision which he believed was necessary to meet the justice of the case; but if that decision were overruled the responsibility should rest with the House, and not with himself.

MR. M. GUEST moved the adjournment of the debate.

SIR HENRY HOARE seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."  
—(Mr. Montague Guest.)

MR. J. LOWTHER appealed to the hon. Member to withdraw his Motion, as he thought the question could be decided at once.

MR. M. GUEST said, he would withdraw his Motion on the understanding that the House would at once divide on the original Motion.

Motion, by leave, *withdrawn*.

SIR MICHAEL HICKS-BEACH observed that in matters of this nature he felt disposed to attach pre-eminent importance to the opinions of Her Majesty's Government, who must, of course, be in the best possible position to arrive at a just decision. After the statement which the right hon. Gentleman the Secretary of State for the Home Department had so fully and fairly laid before the House, he should certainly give his support to Her Majesty's Government.

Original Question put.

The House divided:—Ayes 41; Noes 63: Majority 22.

#### LOCAL GOVERNMENT SUPPLEMENTAL (NO. 4) BILL.

On Motion of MR. KNATCHBULL-HUGESSEN, Bill to confirm certain Provisional Orders under the Local Government Act, 1858, relating to the districts of Barton, Eccles, Winton and Morton, Bognor, Bolton (2), Chippenham, Harrogate, Merthyr Tydvil, Ryde, Stroud, and Worthing; and for other purposes relative to certain districts under the said Act, ordered to be brought in by MR. KNATCHBULL-HUGESSEN and Mr. Secretary BRUCE.

Bill presented, and read the first time. [Bill 226.]



## FOREIGN ENLISTMENT BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to prevent the enlisting or engagement of Her Majesty's Subjects to serve in Foreign Service, and the building, fitting out, or equipping in Her Majesty's Dominions Vessels for warlike purposes without Her Majesty's licence, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, and Mr. Secretary BRUCE:

Bill *presented*, and read the first time. [Bill 228.]

## EPPING FOREST BILL.

On Motion of Mr. GLADSTONE, Bill for disafforesting that part of Waltham called the Forest of Epping, settling the rights of the Lords of the Manors and the Commoners of such Forest, and appropriating certain portions thereof to the use of the Public, *ordered* to be brought in by Mr. GLADSTONE, Mr. CHANCELLOR of the EXCHEQUER, and Mr. AYRTON.

Bill *presented*, and read the first time. [Bill 227.]

## GREENWICH HOSPITAL BILL.

On Motion of Mr. WILLIAM HENRY GLADSTONE, Bill to amend the Law relating to the repayment to the Consolidated Fund of money expended for the benefit of Greenwich Hospital, *ordered* to be brought in by Mr. WILLIAM HENRY GLADSTONE, Mr. STANSFELD, and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 229.]

## MILITIA PAY BILL.

On Motion of Mr. DODSON, Bill to continue an Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorise the employment of the Non-commissioned Officers, *ordered* to be brought in by Mr. DODSON, Mr. Secretary CARDWELL, and Captain VIVIAN.

## CANADA DEFENCES (GUARANTEE OF LOAN) BILL.

Resolution *reported*;

"That it is expedient to authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of the principal and interest of a Loan of £1,100,000 sterling, such interest not to exceed four per centum per annum, to be raised by the Government of Canada for the construction of Fortifications in that Country; and to provide for the payment out of the Consolidated Fund of such sum or sums of money as shall be required from time to time for giving effect to the said Guarantee."

Resolution *agreed to*:—Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 225.]

## DIVIDENDS AND STOCK BILL.

Lords Amendment *considered*, and *disagreed to*. Amendment made.

Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to the

Amendment to which this House hath disagreed;"

—Mr. STANSFELD, Mr. AYRTON, Mr. GLYN, Mr. ADAM, and Mr. W. H. GLADSTONE:—To withdraw immediately; Three to be the quorum.

Reason for disagreeing to Lords Amendment *reported*, and *agreed to*:—To be communicated to The Lords.

House adjourned at a quarter before Three o'clock.

## HOUSE OF COMMONS,

Wednesday, 20th July, 1870.

MINUTES.] — SELECT COMMITTEE — Salmon Fisheries [No. 368].

PUBLIC BILLS — *Ordered* — Contagious Diseases Acts (1866-1869) Repeal, *debate resumed and again adjourned*.

*First Reading* — Prayer Book (Tables of Lessons)\* [230]; Ecclesiastical Titles Act Repeal\* [231]; Siam and Straits Settlements Jurisdiction\* [232].

*Second Reading* — Game Laws Abolition [Mr. TAYLOR] [73], *negatived*.

*Committee—Report—Third Reading* — Shipping Dues Exemption Act (1867) Amendment\* [194]. *Considered as amended* — Local Government Supplemental (No. 3)\* [188].

*Third Reading* — Local Government Supplemental (No. 2)\* [212]; Sewage Utilization Supplemental\* [201]; Exchequer Bonds (£1,300,000)\*; Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment\* [208], and *passed*.

*Withdrawn* — Suburban Commons\* [41].

## GAME LAWS ABOLITION BILL—

[Mr. TAYLOR]—[BILL 73.]

(Mr. Taylor, Mr. Jacob Bright, Mr. White.)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [25th May], That the Question then proposed, "That the Bill be now read a second time," be now put.

*Previous Question* again proposed, "That that Question be now put."—(Mr. Hardcastle.)

Debate *resumed*.

MR. McLAGAN said, that it was his intention to support the measure, though it went somewhat further than he wished; and if it failed to become law this year he should early next Session move for leave to reintroduce his Bill for taking hares and rabbits out of the game list, and for providing also for the security of the tenants' interests. He was

not of the opinion that the abolition of the Game Laws would produce either all the good or all the evil that was anticipated respectively by the friends and opponents of the measure. He believed it would not do away with that legitimate sport which was so beneficial to the health of persons engaged in sedentary occupations, nor did he think that it would have the effect of reducing the value of the Scotch moors that some persons expected. If it did he should be prepared to legislate in such a manner as to remedy the evil. But he believed that the abolition of these laws would effectually remove that over-preservation of game of which there was now so much complaint. He should therefore vote for the second reading, though he should have been content with a Bill which simply withdrew the present legal protection enjoyed by ground game. He also supported this Bill as a protest against the Bills now before the House, and, especially, the Bill of the Government; and he trusted that if next year the Government introduced another Bill on the subject it would go further, and deal with the question in a more statesmanlike manner than that brought forward by them during the present Session. He would warn the House that many of the evils which were commonly attributed to the Game Laws, were really due to the Land Laws, and could never be abolished unless the House was prepared to deal in a comprehensive manner with the laws relating to the occupation of land.

MR. C. S. READ said, he could not agree with the hon. Member for Linlithgowshire (Mr. M'Lagan) in supporting the Bill, which aimed not at the amendment of the Game Laws, but at their total abolition, and did not think that his hon. Friend had any desire to interfere with winged game. He said this the more confidently, as his hon. Friend had himself introduced a Bill to cure the game evil, and that Bill referred exclusively to hares and rabbits; and he could not believe that a Parliament which last year passed an Act for the preservation of sea birds could remove all protection from winged game. He could not consent to taking away the legal protection and a closed season which were now accorded to the partridge, that prince of birds, which, in its lifetime, did more good than harm,

*Mr. M'Lagan*

which furnished better sport than any other bird, and which, after its death, was a dinner fit for a king. There was no country, however republican, which did not, sooner or later, adopt some sort of Game Laws; and those of England were hardly more oppressive than the Game Laws which existed on the other side of the Atlantic. What the farmers of England, and, as he believed, the farmers of Scotland, wanted was not the destruction of partridges or of grouse, but rather that the over-preservation of hares and rabbits should cease — but then, by the present laws, hares and rabbits might be killed at all hours of the day and night, and at all seasons of the year, by any person who had a right to destroy them. And he would remind his hon. Friend that the Salmon Laws not only prevented all fishing during certain seasons, but also proscribed certain tackle for being used in their capture; and, further, their jolly friend the fox, although not in the game list, enjoyed a protection that was not accorded to any other beast of the field. With regard to the system of licences, he did not think there was much to complain of; for the farmers who had a right to kill hares could do so upon payment of 1s. for a certificate, and there was no licence required for the destruction of rabbits. But he quite agreed with the Report of the Committee of 1846, which said that the punishment for the unauthorized killing of game was excessive, and he would like to see it mitigated. He would draw the attention of the Lord Advocate to this point — if he wished to bring in a better Game Bill next year than he had done this, which he hoped he would — that he ought to do away with cumulative punishments, against which there was a very strong feeling in many parts of the country. He would illustrate his meaning by what had occurred the other day before a Bench of Magistrates at Swaffham, who, after convicting a poacher in penalties, were urged to inflict a further penalty upon him by the Board of Excise for sporting without a licence. The magistrates, in an able protest, stated that—

“Inasmuch as it is contrary to the law of England for a person to be punished twice for the same offence, and believing that it would be harsh treatment to convict him of the offence charged upon him in the said information, we do hereby acquit him of the same.”



This decision of the justices was appealed against at the last Norfolk Quarter Sessions, the counsel for the prosecution arguing thus—

“He would not say that it was not a very kind view to take, but at any rate it was a very exceptional course for a bench of magistrates to adopt in this game-preserving county. That judgment, however, was altogether erroneous in point of law, for the magistrates were bound to convict.”

The quarter sessions had therefore no choice left; but to mark their opinion of the case they mitigated the fine from £20 to £5, which was the lowest penalty they could inflict, and which he need hardly add, the prisoner was utterly unable to pay. He had been told that one hare killed cost the Union, for the maintenance of the family of the defendant while he was in gaol the sum of £17, independent of what the county had to pay for the costs of the prosecution and his imprisonment. He had had long and varied experience of the evils of over-preserving game. He had spent his boyhood on a game farm; he had been agent upon a game-preserved estate, and he had also farmed on land where he had the happiness of having the game in his own hands; and he did not hesitate to say that game caused more jealousies and more misunderstandings between landlord and tenant than any other cause whatever. It was impossible that confidence and good feeling could exist between landlord and tenant when there was an over-preservation of ground game. It was often said that the game on a farm was a matter for arrangement between the landlord and tenant, but in seasons of drought like this that really was not the case. He knew a farm in Norfolk which was well worth £1,000 a year, without game; but, in consideration of the game, it was let at £400, so that £600 a year was lost in the assessment for poor rates and other local burdens; and the tenant, being utterly ruined, had become desperate, and having nothing left on his farm but hares and rabbits, had taken it into his head to destroy them himself, contrary to his agreement. No wonder that there was in that part of his county 15,000 acres of land to let, especially when he said that a tenant, in filling up his agricultural statistics, stated, “Extra stock, 1,500 hares, the property of my landlord!” They had had a good many theories and opinions as to the number

of hares and rabbits that were equal to a sheep. That was all mere guess work. The question was not to be determined in that way. Even a tame rabbit, fed on the cheapest-bought food, would cost a farthing a day, which was 7s. 6d. a year; but if they turned a flock of sheep loose upon a farm, they would soon see the difference between the actual cost of their maintenance and the damage they inflicted. So it was with the hares and rabbits. At the present season a hare destroyed ten times more corn than she ate; and in winter, when she went nibbling about, from swede to swede, she did equal damage to the root crop. It was ridiculous to talk of the tenant being allowed only one valuation a year. In fairness, he ought to be allowed to spread his loss over the whole year; and that could only be done by having the damage valued whenever it occurred. No doubt, the Game Laws were a source of demoralization among the poor; but he had little belief in that *beau idéal* of a poacher who shot a hare to take home to a starving wife. Therefore, he must remind the House that the model poacher of the old school hardly existed. The poacher now was seldom to be found on the game farms, but in the adjoining open village or small town, where a band existed of idle, dissolute, drunken young fellows, who, if they did not poach, would do worse. Let not the House, therefore, run away with the sentimental nonsense that the agricultural labourer was often starved into poaching. It was no such thing. But then there were other things that demoralized a neighbourhood. The tenant of a game farm was frequently a poor, heartbroken farmer, who was not able to employ the labourers round about him; and they were in a measure forced into idleness. Then the gamekeepers were sometimes taken from the lowest and worst class of the population—a reformed poacher being considered to make the best gamekeeper. Again, on these farms, it was expected that the agricultural labourers should become night watchers. Now, it was impossible that they could watch by night and work by day; and, hence, they fell into listless and drunken habits. Then, above all things, there was the hateful and demoralizing practice of buying pheasant's eggs. It encouraged boys to thief from their infancy; and it was as foolish as

it was wicked, because the game preserver as often bought his own birds' eggs as his neighbour's. And if these evils existed where the landlord preserved his game, they were aggravated ten-fold when he let the right of sporting to a stranger. The landlord had always some sympathy with his tenants: the stranger did not care a straw for them; his only object was to get as much sport as he could. He might be told that the landlord thus got two rents; but he had no right to allow the smaller rent to eat out the greater. For these reasons, he would be glad to see it provided by law that if the landlord did not choose to keep the game in his own hands, he should be bound to offer it in the first instance to the tenant. The noble Lord the Member for Cambridgeshire (Viscount Royston) had previously said in this debate that game was property, and that a man had a right to do what he would with his own. He (Mr. C. S. Read) denied both propositions. Live game was not property, and had never been held to be so—and he could not see how it ever should—because, when it was upon one side of the hedge it belonged to one owner, and when on the opposite side it belonged to another man; and when a person so exercised his rights as to make them a nuisance to his neighbours and the public, the law stepped in and prohibited him from such a use, or rather an abuse of his rights. He did not understand how, in this free country, the landlord's rights were to be respected and the tenant's ignored—that there should be protection to hares and rabbits, and no protection to corn and turnips. He then came to the important point of a remedy. The first remedy he would trust to was the influence of public opinion; and he believed that had done much, and would do still more. He appealed also with much stronger confidence and hope to the good sense and the kindly feeling of the landlords of this great country. He hoped there would be a better understanding on this question between them—that the landlord would trust his tenant more and his gamekeeper less. If all landlords were to follow the example set by the hon. Member for Dorsetshire (Mr. H. G. Sturt), he believed they would have no complaints from tenant-farmers as to the injurious operation of the Game Laws. But he confessed that recent

events had shaken his faith in this ameliorating influence. The battue sport had become such a fashionable mania, and as there was such an unfortunate rage for it, it had spread far and wide over the country. The great man in the district had always some Royal Prince, or some noble Duke, or some Nabob from India on a visit; and he must give his distinguished friend a wonderful day's shooting by butchering all his game that was formerly killed in five months, in about as many hours. And, unfortunately, the evil was that this practice was not confined to the great man, but every little squire in the neighbourhood imitated his example. The law gave the tenants the right to the game, and they invariably turned that right over to their landlords; but he believed that it would be for the interests of the tenants, for the benefit of agriculture, and for the good of the public, if Parliament stepped in and said to the tenant—"You shall not entirely abrogate the rights we have given you; it shall at least be the joint right of the landlord and the occupier of the soil to kill hares and rabbits." He admitted that this would be called an interference with freedom of contract; but just as a few bad landlords in Ireland had brought about the Irish Land Bill, so he feared that a few unscrupulous preservers of hares and rabbits would not only annihilate the Game Laws, but would ere long also do away with all legitimate sport in this country.

MR. TILLET said, he would not so soon have obtruded himself on the attention of the House, but that, as a Norfolk man, he could not sit still while this subject was under discussion. He agreed with all the facts and arguments addressed to them by his hon. Friend and neighbour who had just sat down, but he did not agree in his conclusions, as he could not understand how, after the strong facts and the able arguments the hon. Gentleman had used in the appeal he had made to the landlords generally, he should, after all, vote against the Motion before the House. But he agreed with the hon. Gentleman that there was a middle course to be pursued, and he trusted that it would be adopted by the landlords while yet it could be done. He hoped the tenant-farmers would be met on that ground. He believed that when the tenant-farmers got



the protection of the Ballot very decided pledges would be exacted from candidates on this question; and it would now be a gracious act on the part of the landlords if, in order to meet reasonable views, they conceded something which might set the question at rest for years to come. The middle course he had just referred to was to leave hares and rabbits out of the Game Laws. His knowledge of the farmers of Norfolk was only inferior to that of his hon. Friend, and he would say that there was no desire on their part to deprive the gentry of the country of a proper amount of sport. They respected their landlords, and desired that they should pass as much time as possible in the country. But then that sport ought not to go so far as to ruin, or even to cause distress and anxiety to the tenant-farmers. He knew the farmers entertained a strong feeling that they were unjustly treated by the over-preservation of game. He was in favour of the principle of the Bill, and he believed that the Game Laws were not founded on principle. They attempted to make property what was not property, and great mischief had arisen from Parliament making criminal what the people could not be brought to regard as so highly criminal. That had a demoralizing effect. Many a youth who would shrink from committing a felony was led into poaching, and from thence he went on to graver crimes. Then he must remind the House that this question affected the consumers of food, who had a right to declare that no agreement should be come to between the owner of the soil and the cultivator which would prevent the latter obtaining from the soil the greatest possible amount of produce. Therefore, on grounds of public policy he supported the Bill; and another reason was this—every effort ought to be made to promote a good feeling among all classes, but he believed the Game Laws really engendered feelings in the minds of tenant-farmers which were not reconcilable with the proper affection and respect which the tenant ought to entertain towards his landlord and neighbour. There would be every disposition to meet the supporters of the Game Laws if they should be prepared to draw a line between four-footed game and winged game; that the four-footed ought to be left to be killed by anyone who could do so without

committing a trespass, and that any restrictions on the tenant in that respect ought to be prohibited. Entertaining these views, he should support the second reading of the Bill, but should be glad to see some provision introduced which would secure to the landlord a proper and reasonable amount of sport.

MR. G. B. GREGORY said, he believed that rabbits were generally considered a common enemy. In the district with which he was connected a great deal of profit was derived from underwoods, of which rabbits were great destroyers, and it was most desirable for the interests of both landlords and tenants to keep the rabbits down as much as possible. But the difficulty of getting at them in wooded districts was so great that it was almost impossible to keep them down. He knew that there were a great many abuses connected with the preservation of ground game, and so long as those abuses existed it would be impossible to expect a good feeling to exist between the landlord and the tenant, but he did not see how the difficulty which existed could be met by legislation. He was afraid that upon the question of game preserving, a great deal of obloquy had been cast upon a class in consequence of the faults of a few. In the part of the country with which he was connected the best feeling prevailed on the subject between landlord and tenant, and he believed that the spread of that friendly understanding was the best remedy for the evils with which the Bill proposed to deal.

SIR HENRY HOARE said, he would support the second reading of the Bill, but if it should be carried he intended to propose clauses in Committee to neutralize its worst effects. He was quite sure that the supporters of the Bill did not wish to see every pheasant and partridge blown out of the country, which would be the effect of the passing of this Bill; but they wanted some measure to meet the growing evil of over-preservation. The destruction to plantations by rabbits was incalculable, and it was almost impossible to prevent it, for he had seen rabbits scale wire nettings to get at the plants. They also did injury to the land itself, which they poisoned and rendered unfit for agricultural purposes. He did not believe winged game to be destructive of agricultural produce, and many of his te-

nants had told him that the good produced by pheasants and partridges far outweighed any harm caused by them. He thought that to drop hares and rabbits out of the list of game would be the best remedy that could be devised for the evils that existed. He was ready to see the Game Laws abolished, but there must then be an amendment of the Trespass Act, for it was impossible that notice could be given to every poacher that he was committing a trespass.

MR. HERMON said, that as the Bill went for the total abolition of the Game Laws, he must vote against it. Had its object been the modification of the laws, then it would have been open to his consideration. He lived in a part of the country where there were perhaps more hares than in any other part of the kingdom. He preserved game on a considerable extent of land, on which there was scarcely a rabbit to be found. He wished to bear his testimony to the good feeling which existed in the minds of the farmers, who were always glad to see any of his friends. The great grievance which the farmer felt was this—that in some instances as many as 400 or 500 hares were sometimes sent to market in the course of a week. When the farmers saw the preservers of game becoming wholesale dealers in it he thought they had some right to complain, and should be glad to see some provision that wherever a proprietor continued to preserve hares they should either let them be the gift of the farmer, or, if they were sent to market, they should pay 2s. per head for every hare and 6d. per head for every rabbit.

MR. ANDERSON said, he wished to explain to the House the reason why he supported the second reading of the Bill now before it, as he had hitherto supported the Game Laws, in spite of strong representations made to him to act in a contrary manner. He did not now think that a total abolition of the Game Laws would be a great benefit; but he had recently had occasion to look into the Bill of the learned Lord Advocate, and he had come to the conclusion that the Game Laws were in such a muddle at present that it would be very difficult for anyone to say what was law on every point connected with game, and what was not. What was game was as great a delusion as any he knew of. He himself used to think that there was a game

list, and that anyone could easily refer to it and see what was game and what was not, but he found there was no such list in existence. There were a great number of Acts in existence relating to game, but there was not one which properly defined what game really was. Then there was a different system in Scotland from what there was in England and Ireland. In England various birds came under the head of game which did not in Scotland; while in Ireland such birds as wild ducks and a number of animals were put in the game list which were not put in in the other parts of the kingdom. In point of fact, the Irish game list was a much more copious one than was the game list in the other portions of the United Kingdom. Another reason why he wished to support this Bill was that no satisfactory Bill had hitherto been brought before the House upon this question, at least, since he had been in it. The one that was brought in by the learned Lord Advocate was, he thought, most unsatisfactory not in what it did do, but in respect to what it did not do; his Bill, indeed, so far as it went, was a very good Bill, but it went so small a distance that practically it was useless. As regards the game which were to be dealt with in that Bill, he was struck with the number of birds it left out, and equally so with one of the birds at least that it put in. For instance, he observed with some surprise the ptarmigan family were left out, but he was struck with still greater astonishment to find that such a bird as the bustard was put in. Why, the bustard had not been seen in Scotland for hundreds of years, and he did not believe that it had been tried in England for hundreds of years, notwithstanding which, this unfortunate bustard was put into the Bill as a game bird. He really thought that the best thing which could be done would be to appoint a special Committee of the House to sit for a week or two in the ensuing Session, in order to define what was game and what was not, and what ought to be so considered. It was certainly not a licence to kill, it was certainly not a penalty for pursuit, it was certainly not a close time—none of those three things constituted game. He should like very much to find out what it was that really did constitute it. There was one other point in the Bill of the learned



Lord to which an allusion had just been made by the hon. Member for South Norfolk (Mr. C. S. Read) and that was, that any claim which the tenant had for damages could only be made at one period of the year, which would have the effect of limiting the time in which he could bring an action for damages, and it entirely precluded any action for damages which might be done to green crops. All that took place in the winter. He (Mr. Anderson) thought that was a point which deserved very great consideration. There had been various other Bills brought in—one by the hon. Member below him (Mr. Brown) which was certainly not a satisfactory measure; neither was that which had been brought in by the hon. Member for the Wick Burghs (Mr. Loch) altogether satisfactory. Altogether there was such a confusion in the Bills which had been proposed to amend the Acts relating to the pursuit of game, that he had come to the conclusion that the simplest and the best way to proceed was to repeal the whole of them. But he must say that for all that he should like to have some fair and reasonable protection for game.

SIR GEORGE JENKINSON said, he was unable to vote for the second reading of the Bill in its present form. If the present law should be abolished, it would be absolutely necessary to effect an improvement in the Trespass Act, and that game should be made property. He thought it desirable that the consideration of the subject should be postponed until next Session, in order to see what measure the Government would propose. He agreed with the hon. Member for South Norfolk (Mr. C. S. Read) in the distinction which he had drawn between four-footed and winged game, and thought the former should be allowed to be killed by anyone, provided he did not commit a trespass.

MR. M. T. BASS said, he thought it like fighting with a shadow to contend against the present Bill, for anything more worthless he had never seen. He considered it one of the most daring attempts at legislation ever known, and one of the rudest attacks on property. It would be just as reasonable to propose to distribute all lands and houses and personal property amongst the whole population. It could not be denied that the Bill dealt with property. He would remind the House that a large propor-

tion of the rental of Scotland was dependent on game, and no complaint was made by the tenants. The rights of shooting were let at £500, £1,000, and, in some instances, at £2,000 a year, and he had no doubt that the sum produced in that way amounted to £100,000; but no compensation was proposed in the Bill. The hon. Member for Leicester (Mr. Taylor) wished that all game and all property in game should be destroyed. The principle urged by the hon. Member that the preservation of game was not the best use to make of land, was one which would apply equally to parks, gardens, shrubberies, and pleasure grounds, to large houses, and to many other luxuries. He (Mr. Bass) admitted that there was over-preservation, but public opinion was not against a proper Game Law; and he believed that the majority of the tenants, if protected against over-preservation, would support the continuance of the law. He himself held 1,000 acres under the Crown and was bound by contract to supply Her Majesty with a certain number of hares, pheasants, and partridges annually. But the poachers took the largest share of the game on the property, and he could not obtain the required number. He was obliged to make up the deficiency by purchasing from a dealer in London. It was a waste of time to proceed with the discussion of this Bill. He trusted that the Bill would be withdrawn and that a more reasonable measure would be brought in next Session. He had taken some pains while in Scotland this year to inquire what was the opinion of competent people on the subject, and though there was a difference of opinion upon the present Bill, many of the farmers being dissatisfied with it, still there were many others who regarded it as a good Bill, as the power given to the tenants to destroy ground game could not fail to operate beneficially.

MR. J. LOWTHER said, he rose to a point of Order. One of the objects of this Bill was to repeal the Act 25 & 26 *Vict.* c. 14. But another Bill for the repeal of the same Act was rejected by the House the other day on the Motion for its second reading. Of course the House could not consider the same question twice in one Session, and he believed that that objection would be fatal to the passing of this Bill.

MR. SPEAKER said, the Bill of the hon. Member was printed before the decision referred to was arrived at. The Bill could proceed until they came to the Schedule in Committee, when it would be competent to strike out so much of the Bill as proposed the repeal of the Act in question.

MR. LOCH said, he thought every one would admit that the Game Laws were fast approaching a period in their history in which they would have to undergo considerable change, if not entire abolition. There was a general opinion that the evils existing under those laws ought not to be permitted to exist. He strongly objected to the unexpected withdrawal of the Government Bill on the subject of the Game Laws, and he had heard with astonishment the recent declaration of the Secretary of State for the Home Department, that the Government were not pledged to deal with the question, for on the 2nd of March last the right hon. Gentleman himself promised that the Government would deal with the Game Laws so far as they related to Scotland. Perhaps he might be permitted for a moment to refer to the report of *Hansard*. The words which the right hon. Gentleman used were these—

“MR. BRUCE said, that he had an appeal to make to the hon. Member for Wick (Mr. Loch) upon the subject of this measure. At the close of last Session, the Government had undertaken to deal with the difficult question of the Game Laws of Scotland; but although the Bill was in a forward state, it was not yet in a condition to be laid before the House. He had therefore to request the hon. Member to be kind enough to postpone the second reading of his Bill until that of the Government had been laid before the House. He would undertake, on the part of the Government, that the hon. Member would lose nothing by consenting to this proposition.”—[3 *Hansard*, excix. 1111.]

Now, he thought that no words could convey more distinctly than those a pledge on the part of Her Majesty's Government to discuss the question fully. Such a question could only be efficiently dealt with by the Government, and it was with that feeling that he had postponed his own Bill on the subject until the House could have an opportunity of discussing the Government measure. He would not go into the merits of the Game Laws, but he should vote for the second reading of this Bill as a protest against the existing state of things. He was not in favour of the total abolition of the Game Laws, for he thought that the

adoption of such a course would be a great mistake, as it would place the relations between landlord and tenant in a position of considerable difficulty, and open the door to trespassing and poaching of all kinds.

THE LORD ADVOCATE said, he shared in the regret which had been expressed that an opportunity had not been afforded to the House of discussing the whole question upon the Government Bill; but he felt sure that no Member of the House would be disposed upon consideration to attribute blame to the Government in connection with the matter. The time and energy of the Government and of the House had been taxed to the utmost by the great and important measures which had occupied their attention this Session up to the present period, and it was utterly impossible that the Game Bill promised by the Government should have been proceeded with. The Government Bill only proposed to deal with the Game Laws as a question between landlord and tenant. The measure assumed, like the Bill of his hon. and learned Friend (Mr. Loch), that the outside world—those who were neither proprietors nor tenants of land—were in future, as they had been in the past, to be excluded from trespassing upon private property. It might be that the Trespass or Poaching Acts directed against those who were described by the hon. Member for South Suffolk (Mr. C. S. Read) as idle, dissolute, lawless vagabonds, were too severe in their provisions; but, if so, the Government Bill did not deal with the matter at all, but left it altogether untouched for anyone to take up who chose to do so. With regard to the present measure, he wished to know whether it was presented to the House as a Bill founded upon a principle sound in itself, which ought to be carried out to its legitimate conclusions, or whether it was put forward as a piece of exceptional legislation, to meet an exceptional case or emergency? If it were put forward as a measure founded upon a sound general principle, intended to be carried out to its legitimate results, he would like to know what that principle was. He could find no information on that point within the four corners of the Bill itself or in the speeches which had been made in support of it; other than this—that it was not legitimate to allow property to be used in any manner which would di-



minish the amount of its available produce, and that any use of it which would be injurious to the community by diminishing the produce—I suppose of food or clothing—ought to be prevented by legislative enactment. If that principle were maintained as sound, and as the foundation of legislation, then, as the hon. Member for Derby (Mr. Bass) had unanswerably suggested, it would be sufficient to put down parks, shrubberies, gardens, and ornamental pleasure grounds that were too large for the reasonable accommodation of the occupants. Indeed there was nothing in the principle which would limit its application to land, for it would apply to anything, the use of which was not such as would produce the greatest amount of material return to the community. It would apply to money and certainly to houses, for there ought to be no houses too large for the occupiers while there were multitudes unhoused. Then people ought not to employ their money in show, ostentation, extravagance, or luxury of any kind, while others were going about destitute of the means of comfortable livelihood. In short, the principle would introduce sumptuary laws, and establish the doctrine that it was not legitimate to squander money in any way while there was so many poor who were without bread, without clothing, and without comfortable roofs to shelter them. But would that principle commend itself to the opinion of the House? Would they sanction such a legislative interference with the rights of property, compelling people by statute to use their property in a certain way which would be better for the general public than for their own purposes? It was a right principle of political economy to allow the proprietors, within certain limits indeed, to deal with their property in the manner which to them should seem best, and not to interfere with the use which they might make of it because it might be demonstrated that a more profitable use was possible. The question of principle therefore could not be defended, and this Bill must be supported on the ground that it was an exceptional piece of legislation, dealing with an exceptional case or an emergency of some kind or other. It had been said by one hon. Member (Viscount Royston) that such an interference as this Bill proposed would be

resisted on the ground that proprietors were entitled to do what they liked with their own property. The answer had been made that game was not property. He was rather disposed to agree with that view, for it was impossible to make property of wild animals which would change their owners whenever they crossed the boundary line between two estates. But that was no answer to the objection which was founded on a just principle of political economy. It was not the property in game, but the property in land which was in question. The right of property in land led to this—that the proprietor was entitled to exclude from his land for any purposes of profit, pleasure, or amusement, all those who had not his permission to go upon it, whether that permission was given gratuitously, or under a contract. This was the common law of England, Scotland, and Ireland, and it was this right of property which would be interfered with by this Bill. But how would this Bill interfere with that right? Suppose a man had bought an estate for the legitimate purpose of having healthful recreation in the pursuit of game, and had no tenant at all—he took that case in order to disembarass the question of any considerations with respect to tenancy. What the Bill proposed was that the land owned by the man and occupied by himself should be thrown open to any of that class described, I suppose accurately, as idle, dissolute, lawless vagabonds—who chose to go upon it for the purpose of destroying any game they might find there. It was said that that was not interfering with the rights of property, because there was no property in wild animals; but the estate would be thrown open to those people, who might damage it as much as they pleased provided they could show that they were in pursuit of game. The only way of restraining such people would be by an ordinary action at law, but he was sure that the House would agree with him in considering that a very idle process against these idle, dissolute, lawless vagabonds. The Trespass and Poaching Acts might be too severe in their present form; but at all events they ought to be left in such a state as to protect the established and recognized rights of property against such depredations. The Bill declared that the present laws which it proposed to repeal were injurious to the cultivators

of the soil; but if the Bill passed, there could be very little doubt that the freedom which it would give to these idle, dissolute, lawless vagabonds would also be very injurious to the cultivators of the soil. It was said that if it passed, poaching would cease, and there would be a marked diminution of crime. Certainly, one way of putting an end to poaching was by repealing the laws which existed upon the subject, for where there was no law there could be no transgression; but the same argument might be used in favour of putting an end to property by abolishing the laws which protected it. Where there was no game there could be no poachers; where there was no property there could be no thieves. But that was not a very satisfactory way of getting rid of crime, and of such nuisances as were referred to in this Bill. With regard to the case of the tenants, his hon. Friend the Member for Glasgow (Mr. Anderson) had said that the Game Laws were in such a muddle that it was most desirable to get rid of them, and that if there was any Game Law at all, it should be so clear that anyone could understand it. Now, he rather thought the "muddle" was not so much in the law as in his hon. Friend's view of it. The Game Law was simply the law of property. He regarded it from this point of view—The tenant-farmer was a party on the land by contract with the proprietor; and he had no right to be there at all except under the contract which made him the tenant. Now, the contract was generally made with him for agricultural purposes, and if the game on the farm were reserved by the landlord, what question could there be between the landlord and tenant? There would be the question of rent, and nothing more. Of course, if the game were reserved by the landlord, the rent was less than it would be if the game were not reserved, and was Parliament to interfere in order to prescribe the rent at which lands should be let? If the tenant paid more for his farm than under the circumstances it was really worth it was his own fault. The Legislature could not protect him in that matter. He must trust to his own sagacity and to his own power of making a contract which would be satisfactory to him. But this Bill went the length of proposing to interfere with the contract—and to say that

a contract, when made between landlord and tenant with respect to game, should not be legally binding. Parliament might as well at once lower the tenant's rent. Suppose a proprietor, instead of letting his land for agricultural uses, retained it for that purpose, but let the game, how would they deal with him? Could it be said that he should be at liberty to shoot the game because they were eating his crops—on the ground that his killing them would benefit the State by increasing the quantity of food. The contract was precisely the same in the two cases. He ventured to think that the tenant-farmers could everywhere be left to take care of themselves in this matter; for, so far from their being oppressed, heart-broken, and half-starved men, they were a well-to-do class, keenly alive to business, and were well able to make their calculations. The demand for farms was far greater than the supply. That would not be the case if the business were not profitable. Farmers were anxious to secure the land whenever it was in the market. No doubt, the tenant-farmer made his bargain upon the implied understanding that there would be a reasonable exercise of the right reserved. There might be individual cases of disappointment; and, in reference to those matters, the Government Bill would provide a remedy. In short, the Government Bill proposed to give a remedy in cases of real hardship from the unreasonable and immoderate preservation of game to the positive detriment of the tenant. On both sides of the House there had been some criticism of that provision which enabled a tenant to make only one claim for damages from game in the year, and that must be made before the term of Martinmas which occurred in November. It was said by his hon. Friend the Member for Glasgow (Mr. Anderson) that there was great injustice in this, for the tenant would not then be able to claim for damage which had not then been sustained. His hon. Friend seemed to forget that from Martinmas to Martinmas included the whole year, and, therefore, damage to green crops might be claimed as well as to grain crops. This was a mere matter of detail; but he must say that he had been considerably impressed with the observations which had been made to the effect that it would be more convenient to allow the tenant-farmer to



make a claim for the damage done to the farm twice during the year, for the simple reason that it would enable him to make it immediately after the damage was sustained, while the crops were still in the ground, and in such a condition that the exact measure of the damage might be ascertained, instead of having to wait until long afterwards, when it might be more difficult to ascertain its exact amount.

MR. P. A. TAYLOR, in reply, said, that the arguments which had been advanced in the course of the discussion had been both various and numerous. He might say that some hon. Members who had supported the Bill in argument were not going to support it by their votes, while others who were going to support it by their votes had not supported it in argument. He must say that the speech of the right hon. and learned Gentleman the Lord Advocate appeared to have been prepared and intended to have been delivered when the Irish Land Bill was before the House. He had no doubt that if it had been delivered then it would have been hailed with still more rapturous cheers from hon. Gentlemen opposite. The Lord Advocate had attempted to overwhelm the question with a number of legal subtleties which he almost wondered he should have addressed to that House. The learned Gentleman misrepresented the principle of the Bill now before them. He said the principle of this Bill was that nothing should be done with the land that was not intended to bring about the most economical results—the production of the greatest amount of food or of clothing. He (Mr. Taylor) had laid down no such principle. The principle that he laid down was that property was the creature of law, and that it must be regulated so as to produce the greatest amount of public good. He was a humble disciple of the school of Mill, than whom no man went further in his recognition of the necessity of modifying the rights of landowners, and yet he would compel a considerable amount of land to be left wild, or in common, for the artistic or intellectual improvement of the people. He (Mr. Taylor) thought that the advocates of the abolition of the Game Laws had every reason to be satisfied with the general course and tenour of the discussion which had taken place. He felt himself a strong conviction

that if he did not carry the second reading of this Bill, at any rate the solution of this question was nearer by some years than it appeared to be a year ago. He felt a strong conviction also that he had hit upon the real solution of the difficulty of the question, and if he might venture to say so, that he had chosen the right time for bringing it forward. There were three or four conclusions to which the House might be said to have practically arrived. In the first place, it was practically acknowledged that the sole object of the Game Laws was to provide the amusement of sport for the wealthy classes. He must say he wished our country gentlemen could on the question of their diversions be brought more into harmony with our favourite poet Cowper, when he exclaimed—

“Detested sport!

That owes its pleasure to another's pain.”

Another conclusion which seemed to be arrived at was, that an enormous amount of damage was done to the country by the over preservation of game; that was a conclusion which was accepted on all sides. At a recent meeting of the Central Chamber of Agriculture, it was stated that if there were no game the landed gentry would have no inducement to spend their time among their tenantry. But though he believed that farmers and country people desired the permanent residence of their landlords among them, yet he believed they would rather forego that blessing than give up the privileges and rights which were due from the land to every human being in these islands. Another conclusion was, the enormous amount of crime which was caused by this law, and the prodigious number of convictions which took place under it every year. Of that fact the hon. Member for Dorsetshire (Mr. Sturt) said that it “made him uneasy, and was a disgrace to a civilized country.” In the same amusing speech the hon. Member somewhat inconsistently remarked that in convicting poachers they were but convicting thieves. Now, it was all very well to speak of poachers as thieves and vagabonds; but he appealed to the common sense of every man in the House whether there was not a distinct difference between a man who took a hare, and a man who took money out of your pocket. The hon. Member for South Norfolk said he agreed with him (Mr. Taylor) as to some of the evils

caused by the Game Laws; but the next moment he went off on another tack, and argued against the Bill, because he said it was not John Hodge any longer who caught a hare to support his starving family, but a vagabond from some neighbouring town. Well, that was his (Mr. Taylor's) case—that if you hang up either silver spoons or pheasants on a hedge you would attract the idle vagabonds of the neighbourhood to the spot to get them. Another conclusion was, that these laws could not remain as they are, but that they must be dealt with in some way or other. Everybody acknowledged the evil of the Game Laws, and every Session half-a-dozen Bills were brought forward to remedy them. The immediate introducers of those Bills were anxious about them; but no one else believed in them. The hon. Member for South Norfolk (Mr. C. S. Read) said lately, at the Central Chamber of Agriculture—"The law as it stood was totally ineffectual to prevent a flagrant amount of injustice." And again, though he extremely regretted the necessity for legislative interference with regard to the Game Laws, he felt that tenants were driven to ask for something of that kind, because—he did not wish to use strong language, but he could not help doing so—because of the rascality of a few owners of land, who would persist in the over-preservation of ground game. The right hon. Gentleman the Home Secretary observed—and the right hon. Gentleman the Member for Morpeth (Sir George Grey) accepted the statement—that the only real solution of this question was to make game property. He (Mr. Taylor) trusted that no Government would ever attempt to get that done. The idea of making game property, employing a whole army of police, and a standing army to protect it, and filling their gaols no longer with poachers but with felons, was really too ludicrous to be entertained. The hon. Member, whose observations were continually interrupted by cries for a Division, proceeded to comment upon the proceedings of the Government in respect of this question, and especially in regard to the Act of 1862, which had been referred to in the course of the debates as a success. Well, he did not deny that it was a success—but in whose interests, and from whose point of view? In the interests of game preserving, and from the point of view

of the game preserver. It had not diminished the head of game. It had not, therefore, of course, diminished the damage to the farmers' crops. Wherein, then, had consisted its success? It had added nearly 1,000 convictions a year to the already bloated record of the previous Game Laws. It was right that the country should understand that the success attained had consisted in the ruin of certain other thousands of English homes, and in saddling the rates with the cost of police gamekeepers, the maintenance of poachers in prison, and of their families in the Union-house. He did not see the hon. Member for Dorsetshire (Mr. Sturt) in his place, and he was sorry for it, because he should have been glad to express to him his gratitude for what he said when the Bill was last under discussion. There could be nothing more calculated to show the country what the Game Laws really were, and what were the evils attending game preserving, than the speech of that hon. Gentleman. He knew it was supposed that the hon. Member defended the Game Laws, and made a somewhat violent attack upon him (Mr. Taylor). Now, he must say he did not at all take that view of the matter. It was an entire mistake. The whole of the hon. Gentleman's speech was nothing but a subtle, humorous, and powerful attack on the game-preserving interest, and on the Game Laws. He said that he would give game preservers some advice, which they would be more likely to take from him than from him (Mr. Taylor). He was sorry to say that was too true, and he thanked him sincerely for coming to his rescue; but the principal part of his speech was composed of elaborate pictures of two kinds of game preservers; the one belonging to the best, the other to the worst kind of preservers. He himself sat for his picture of the best ideal game preserver, and he (Mr. Taylor) could sincerely say that he believed he well deserved that title. Now, what was that picture? Why, he told them that he would have nothing to do with ground game, but reared many thousand pheasants per annum, and turned the whole of the neighbouring population into gamekeepers. The hon. Gentleman was far too sensible a man to think for a moment that this country, or even this House, would recognize such an ideal condition of society as that which trans-



formed the whole rural population into gamekeepers to maintain the amusements of the wealthy. He might ask what the farmers of the neighbourhood thought of this cloud of 4,000 pheasants? The hon. Gentleman remarked that he treated his people like Christians, and they naturally became his gamekeepers. But the connection between Christianity and game preserving was sufficiently remote to prove that the hon. Gentleman meant that for a joke. But what he thought of the other kind of game preserver was manifest enough by the advice which he gave them. He said—"I advise you to treat your people with common decency, house them like Christians, behave to them as if they were human beings, kill off your rabbits, cut down your hares to the smallest amount; do all this, and, above all, do not let your shooting for a few paltry, dirty sovereigns, to strangers." Why did the hon. Member give that advice?—was it because it was needed or not needed? It was because that it was needed, and he (Mr. Taylor) said that it was a perfect justification for his Bill; for supposing that the good advice was taken by one-half, or three-fourths, or nine-tenths of this class of preservers—as the hon. Member well knew that it would not be—the protection of law would still be required against—to use the language of the hon. Member for South Norfolk (Mr. Read)—"the rascality of a few owners of land who would persist in the over-preservation of ground game." Laws were made not for those whom conscience made to act justly without coercion, but precisely for the minority, whom nothing but law could restrain. That was how he understood the speech of the hon. Member for Dorsetshire, and he again thanked him for it. But if the hon. Member persisted in declaring that it was intended to uphold the Game Laws, and to oppose his Bill, then he ventured to tell the hon. Member that every word which had been uttered in these debates had tended—the hon. Member would not object to the words—"to deny his statements, to refute his arguments, to annihilate his doctrines, and, in fine, to shut him up altogether."

*Previous Question put.*

The House divided:—Ayes 59; Noes 147: Majority 88.

# CONTAGIOUS DISEASES ACTS (1866-1869) REPEAL.—LEAVE.

## ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [24th May], "That leave be given to bring in a Bill to repeal the Contagious Diseases Acts 1866—1869."—(*Mr. William Fowler.*)

Question again proposed.

Debate resumed.

MR. CRAUFURD rose, and said: Mr. Speaker, I see Strangers present.

Then Strangers were ordered to withdraw.

The following is believed to be an accurate representation of the several Members who addressed the House on the Motion, so far as they can be ascertained:—

MR. JACOB BRIGHT: Sir, the hon. Member for Ayr (Mr. Craufurd) may be unaware of the fact that in the present Session of Parliament some 700 or 800 Petitions, signed by nearly 500,000 persons, have been presented to this House, asking for a repeal of the Acts which are now under discussion. By the course which he is now taking he is not only acting contrary to the wishes of the vast majority of the House, but he is also preventing the country from knowing what takes place here upon a subject in which it has expressed the deepest interest. Some tell me that this widespread opposition to these Acts arises from ignorance. I believe it springs from knowledge, because the more thoroughly I have understood these Acts myself, the more I find myself opposed to them. But if this earnest opposition of the people does arise from ignorance, where does the fault lie? Look at the stealthy way in which they have passed this House. They have been brought forward either late at night or late in the Session, and every effort has been made to stifle discussion. So far as I can discover from *Hansard*, only two short speeches were made during the passage of these Acts—one by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley); one by the right hon. Gentleman the Member for the Tower Hamlets (Mr. Ayrton). Both

attacked this legislation in the bitterest terms of condemnation; no case was made out for the Acts; and it is an unprecedented thing that so serious an innovation should have taken place without any speaking whatever but that which was in direct opposition. Let us look now at what occurred in the Lords. The defenders of the other Chamber—and they are not becoming more numerous—always maintain that it is necessary as a check to rash legislation. When the character of that House comes to be discussed in the future, it will not be forgotten that it passed these odious Acts entirely without debate. The Press joined this great conspiracy of silence. That institution to which we are so much indebted, which criticizes with so much advantage the proceedings of Parliament—one of whose noblest functions it is to guard the country from unjust legislation, on this remarkable occasion abandoned those functions, and up to this hour there are great London newspapers which have opened their columns freely to the supporters of these Acts, and which reject answers from the most competent persons. Before the passing of these Acts there was no inquiry, I mean, of course, no real, no impartial inquiry. There were Committees of Investigation to which I shall, for a moment, refer. There was a Committee of the House of Commons which sat last year. I believe I am correct when I say that every witness examined by that Committee was in the pay and employment of the Government. There was a Committee of the Lords which sat in 1868. This Committee seems to me to have been the creature and the tool of an outside Association, an Association for extending these Acts to the whole country. This Association is said to number among its members Peers and Prelates, Members of the House of Commons, and clergymen of the Church of England, and yet it bears a fraudulent name, and dares not adopt a title which shall exhibit its real objects. It calls itself an Association for extending these Acts to the civil population of the whole kingdom, when its real object is to extend them to the female population of the kingdom. Between these two adjectives, civil and female, there is as broad a distinction as between any two words in the English language. Then there was a Committee which sat in 1865, presided over by the

eminent surgeon Mr. Skey. Before that Committee there were examined some scores of doctors, men connected with the Army and Navy, men belonging to the police. I admit that doctors are acquainted with disease, that men connected with the Army and Navy know something of naval and military matters, and that the police have their special instincts; but when Parliament, in an important matter of legislation, submits to be guided by a congregation of professional men, it is liable to make stupendous blunders, and two or three years will not pass over without our finding that we have made such a blunder in this instance. The Association for extending these Acts has been doing all in its power to deceive the public, not intentionally, of course. They have a zeal in what to Englishmen is a new, but not an exalted, faith; and zealots have very little mental control. They have been endeavouring, by the grossest exaggerations, to frighten the public into accepting this legislation. I am supported in this view by the most eminent authorities. Dr. Skey says—

“The public mind is alarmed; it has been coloured too highly. The disease is by no means so common or so universal; and I have had an opportunity to-day of communicating with several leading members of the profession at the College of Surgeons, and we are all of the same opinion—that the evil is not by any means so large as has been represented. I think if you took the impression of any individual on reading the reports of the Association for extending the Acts, you would infer an extent of syphilis in society far beyond the truth—very decidedly beyond the truth. It is not so common; it is not so severe.”

I quote next from Professor Syme, of Edinburgh. He says—

“It is now fully ascertained that the poison of the present day, though arising from similar local sores, does not give rise to the dreadful consequences which have been mentioned. The case may be tedious, and skin, throat, or periosteum may be slightly affected, but none of the serious effects that used to be so much dreaded ever appear, and even the trivial ones just noticed comparatively seldom present themselves. We, therefore, conclude either that the violence of the poison is worn out, or that the effects formerly attributed to it depended on treatment.”

I shall give one extract from Mr. Acton, a great supporter of this legislation. Mr. Acton is probably the most illogical man who ever put pen to paper, but he is a gentleman of character, and therefore his statements will be accepted. He says—“Mild results now form the penalty of frailty.” He further says—



"Notwithstanding their excesses and exposure to many causes of disease, the health of prostitutes resists all attacks better than that of the ordinary run of women who have children and lead orderly lives."

We are told that these Acts are required in the interest of innocent wives and children. This seems to me like asking the Chancellor of the Exchequer to spend the people's money in order that British husbands may commit adultery with impunity. I could give the highest authorities to prove that inherited disease, even among the lowest and least protected class of the London poor, is small. We are told that this disease descends from generation to generation. Sir William Jenner says he never knew a case go beyond one generation. Dr. Arthur Farre says—

"The conclusion that I came to, after many years' experience, was that syphilis in infants was one of the most easily-cured complaints that could be met with, provided the treatment was commenced sufficiently early, in which case the cure was as certain as of any complaint that could be named."

Mr. Erasmus Wilson says—

"I look upon syphilitic diseases as so manageable a complaint, in comparison with other diseases of the skin, that it is always a source of pleasure to me when I have to deal with syphilitic disease."

If our alarmists were sincere they would be irresistibly driven to the conclusion that the Contagious Diseases Acts should apply to the civil, and not merely to the female population. The truth is—and everyone knows it who has investigated this question—that during each succeeding decade these diseases have become milder and prevail less extensively. Is there anyone in this House who will stand up and say that the people of this country are less healthy than people living in those countries where this hateful institution has so long existed? The broad facts of our national life contradict the supposition. Look at our industry and commerce; they exhibit an energy unequalled in the world. We have covered not only our own land, but every other land with public works. In time of war, if we have met with difficulty or disaster, it has not arisen from the physical weakness of the soldier, but from the mental weakness of commanders. When this question was last debated, the hon. Member for the University of Edinburgh (Dr. Lyon Playfair) gave us a great many figures,

and brought Dr. Balfour, of the War Office, to his aid. Dr. Balfour is a very accessible gentleman, and I, too, have had the advantage of an interview with him. I will state the broad facts of this case, and they have the support of his authority. From 1860 to 1865, a period during which these Acts were not in force, there was a remarkable decrease of disease at the military stations. From 1865 to 1868, when the Acts were generally in force, there was no diminution of disease. The figures for the year 1869 have not been given to the public; but the hon. Member for the University of Edinburgh obtained them from the War Office, and made use of them in his speech. Dr. Balfour considers that they show some favourable results from the Acts. I will state, on his authority, what those results are. In some of the stations where the Acts are in force there is a considerable diminution of disease in the year 1869; but in some of the stations where the Acts are not in force there has been a considerable diminution. The difference is this—that in scarcely any of the stations, under the Acts, has there been any falling back; but, in some of the stations, not under the Acts, there has been a falling back. The comparison is here made between stations where there is ample hospital accommodation, and stations where there is none. What we contend for is—that if in the stations, not under the Acts, there were hospital accommodation where persons could voluntarily resort for treatment, the comparison might show that these Acts were worthless in a sanitary point of view. I shall be told that the voluntary system was tried, and that the desired results were not obtained; but it must be remembered that no results are claimed even for the compulsory system until the year 1869. The greatest hospital created by these Acts is the Albert Hospital, of Devonport. Mr. Wolferstan was the house surgeon for five years ending December, 1869. He is a gentleman of character and ability, and he kept the most elaborate accounts of the women who entered and re-entered that hospital. I shall give to the House some information with which he has furnished me. In 1867, the number of admissions for each woman was 1·21; in 1868, 1·71; in 1869, 2·07. These figures show that in each succeeding year, under the operation of these Acts,

the women are more frequently diseased. The supporters of these Acts are bound to admit that inference, or to assent to another view of the case, which is suggested by the mode in which they obtain the Government money. The hospital receives from the Government £30 a year for every bed which is occupied, and £9 a year for every bed which is empty. Are the women then more frequently diseased, or, deprived of every civil right, are they forced into the hospital to satisfy the greed of its managers? Or, again, is this strange result obtained from the fact that the police surgeon is a man who, having been 20 years in the Navy, has never before handled a speculum in his life, and is, therefore, entirely ignorant of the duties to which he has been appointed? The hon. Member for the University of Edinburgh said that this compulsory system had changed the character of disease, and that the Government women were cured in very much less time than those who, in other places, resort to voluntary hospitals. Is he not aware of the fact that in other places there is very limited accommodation, and that, therefore, only the worst cases are taken, whilst the registered women are forced into hospital, some diseased, some suspected of disease, and some not diseased at all. I again quote some remarkable figures from Mr. Wolferstan. From September, 1867, to December, 1869, 566 women were liberated at the Albert Hospital, Devonport, after a detention varying between 1 day and 10. The details are as follow:—Two women were liberated after 1 day's detention, 12 after 2, 17 after 3, 28 after 4, 46 after 5, 101 after 6, 97 after 7, 64 after 8, 108 after 9, and 91 after 10. Have these women been unjustly imprisoned, or does medical science attain more rapid results in these prison-hospitals than elsewhere? In a vain search for a defence of this legislation we have been told that it effects a great pecuniary saving. In the Plymouth district, the loss, in time, of soldiers, sailors, and marines, for the year 1868, was 120 men. If we reckon that at £60 per head, we get a sum of £7,200; but the annual cost of the hospital, the police surgeon, the spies, including, of course, interest of money invested, amounts to a larger sum. But I am not going to argue this case only on the level on which it has been placed by the sanitary reformers of

this House. Human beings have some feelings, some rights too sacred to be subordinated to these boasted sanitary results. A voice is heard from the country—a voice which is growing louder every day—asking for a restoration of those safeguards to personal security which have been handed down to us from generation to generation, and which, until now, no Government, either Liberal or Tory, has ventured to invade. The demand is made that though vice may be difficult to diminish, and impossible to repress, the State shall not become a partner in it; and, further, that whatever law shall be directed against the propagation of this disease shall be an equal law, and not have in it the cruelty and the cowardice of attacking the weak and letting the strong escape. How are these boasted results obtained? By what process does this law work? You begin by letting loose spies upon a town. There is no street nor square, no precinct of the town, be it field or garden, over which the eyes of these men do not range. They resort to the basest means to entrap their victims. They are not instructed to dog the steps of men and women—only of women; and not of all women. Their attention is specially given to the poorer and more defenceless class. Milliners, shop girls, women in domestic service—those classes which more commonly furnish the victims to men's lust, these are they who are placed in peril, and whose steps are tracked day and night by the creatures of this law. The House is aware that the Act professes to be directed against common prostitutes. The Act, however, contains no definition of this term. I believe there is a definition in the Police Act. The term there implies women who are seen soliciting in the street. The operations of those who carry out the Contagious Diseases Acts are limited by no such definition. Poor men's houses are entered, women suspected of incontinence, but who are in no sense common prostitutes, are forced into this vile slavery. I was recently asked by a man of position in London whether I thought poor women were as sensitive on these matters as women of a higher class. Sir, until that hour I never felt so much sympathy with the efforts of working men to obtain direct representation in this House. Here is a law passed by Peers and Prelates in one Chamber, and

*Mr. Jacob Bright*



by an assembly of rich men in another, the whole burden of which is directed against the poor women of the country. It is the most indefensible piece of class legislation of which I have any knowledge. How are these Acts carried out? Their victims are not brought into Court and fairly judged. There is a provision by which they can be made to sign what is called a voluntary submission. Women frightened by the police are induced to sign their names or put their crosses to a paper of the meaning of which they know nothing. Every kind of cajolery and fraud are resorted to to obtain the signatures of ignorant and defenceless women. When once they have committed themselves they are subjected to forced examinations every fortnight, and have upon them a brand which makes a return to decent life almost impossible. I say their signatures are obtained by fraud, and if I am not misinformed, the War Office itself is a party to that fraud. Among the regulations issued by the War Office, on the 1st December, 1869, is the following :—

“Should any woman object to sign, she is to be informed of the penal consequences attending such refusal, and the advantages of a voluntary submission are to be pointed out to her.”

Now, Sir, there are no penal consequences attending such refusal. A woman who refuses to sign can only be summoned before the Bench, where she has the opportunity of showing that she is not a common prostitute. Then, Sir, we have the examining house. I will not undertake to describe that disgraceful institution, but will leave it to the imagination of those who now hear me. I will simply say that women who are young, women who are not young, those who are hardened in vice and those who are barely past its threshold, are driven up to this examining house, herded like cattle in a pen, waiting for the ordeal which a Parliament, representing only men, has prepared for their victims. There is a clause in the Act of 1869, I believe it is the 3rd clause, which exhibits in the extremest way the injustice and indecency of this system. I will refrain from any further reference to it, and I am glad to be told that the authors of the Act are themselves ashamed of it, and would be more at ease if it had no existence. After having spoken of the sanitary, let me refer to the moral results of this legislation. Is

the House aware that great moral results spring from this system? The first Act did not pretend even to aim at moral results. It was only when the Members for Oxfordshire and the Tower Hamlets assailed the Act that the flimsy veil of morality, as it was called by the Member for the Tower Hamlets, was thrown over it. From what part of the system do these moral results flow? Do they come from the examining house? Are they assisted by the operations of the police surgeon? The Blue Books teem with evidence to show that when the soldiers were subjected to this ordeal the *morale* of the Army was lowered, and it was discontinued because both soldiers and surgeons revolted at it. The moral results are said to come from the hospital. We are told that by forcing women there an opportunity is afforded of teaching them religion and of applying to them the chaplain. I see before me my hon. Friend the Member for Bradford (Mr. Miall); he has had something to say in his time about the State-teaching of religion. What will he say of this new phase which it has taken? How will he regard a plan for forcing people into hospitals, in order that they may be taught religion? Let me ask upon what principle all this proceeds? If it be right to drag women into hospitals in order to administer the chaplain to them, might it not be right to confer a similar benefit on other portions of the community, not excepting even some of those who have helped to pass these Acts? Let me discuss now, for a moment, the statements so repeatedly made, that by the operation of these Acts women are often reclaimed and restored to a respectable life. These statements are entirely unfounded. We are told that there were 1,755 prostitutes in Devonport and Plymouth, and that they have been reduced to less than one-half. Mr. Frederick Wreford, chief superintendent of police at Plymouth, denies the whole of this statement. Mr. Lynn, the superintendent of the Devonport police force, says he does not know of one case of reclamation through the operation of the Acts. Mr. Norman, the secretary to the Albert Hospital, Devonport, says—

“I think there are no grounds whatever for thinking that the total number of prostitutes is lessened.”

Mr. Wolferstan states that, during the 18 months ending March, 1865, when

the voluntary system existed, 28 per cent of the women admitted into hospital were reclaimed, while, during the period from April, 1865, to December, 1869—when the Acts were in force—only 13 per cent of the women were reclaimed. There is nothing surprising in this result, for anyone who knows anything of human nature will admit that women who are suffering under a sense of injustice from brutal treatment and forced detention, are not likely to be influenced by those who are placed over them. The question is asked—"Is prostitution legalized?" Of course it is legalized. Until now everything that has been done by Parliament has been with a view of repressing it. The law has changed sides on this matter. We have entered into partnership with the brothels. We do the sanitary part of the business for them, and from all accounts we are not doing it amiss. A superintendent of police, Mr. Mallalieu, says—

"Since the passing of the Act, the greater cleanliness of the brothels is something very remarkable."

So long as there are brothels I have no objection that they should be clean; but I maintain that this result should be accomplished on the voluntary principle. I protest against the State being employed to secure this advantage. We are told, too, that "valuable information" is obtained from the heads of these houses which is of great service in carrying out the Acts. In fact, we have established an intimate alliance with these persons, and the great Departments of the State are in terror lest it should be disturbed. The hon. Member for the University of Edinburgh spoke of the altered character of the unfortunate girls. I understood him to say that they were healthier, cleaner, better dressed, and more attractive. It would be a remarkable thing indeed, if, when the State brought its great resources to bear upon an institution like this, it did not render it more attractive. Our opponents are disturbed when they are told that they have planted the French system amongst us. If it be not the French system it is something very like it. So far as I have been able to compare the two, I believe ours to be the more brutal. It surrounds its victims with fewer safeguards, and subjects girls to slavery at a more tender age. I believe, the last time this question was

discussed, somebody stated that the certificates were given up. If so, the change was made to meet the exigencies of the debate, for Mr. Cooper, of the Rescue Society, told me that he had recently been accosted by two girls, at Blackheath, who had their certificates. He bought one of the certificates, the other he could not buy, and the girl said that a man came to her every Saturday night and paid her rent, and that without that certificate he would not come near her. I do not know whether it be true or not that these certificates are given up; but if this system be in any way justifiable they ought not to be given up. If the Queen's Government, if the Imperial Parliament undergo the unspeakable humiliation of allying themselves with this system, if the British taxpayer is called upon to support it, then, I say we are entitled to enjoy the results of this expenditure, and both the soldier and the civilian should be enabled to distinguish the instrument which has been prepared for their use from that which would subject them to danger. Why is this law applied to women only? We are told that it is a sanitary law. It is the first time in our history that we apply a sanitary law not to disease in general, but only to the disease of one sex. It is said that you cannot catch men. This is equally true of women. Although you endanger the security of all, you only catch the more notorious. There is always a large outlying fringe of clandestine prostitution which baffles the efforts of the police. The same state of things would be found if you assailed men. Instruct your spies to track the steps of men. Let them be able to tap a man upon the shoulder and ask him to sign a voluntary submission. If he refuse, let him be summoned before the magistrate, give him what you give to women, the luxury of being—I will not say tried; there is little or no trial—but of being condemned in secret, and I undertake to say that you will have no difficulty in laying your hands upon the more notorious class of male propagators of disease. The right hon. Gentleman the First Minister of the Crown is not present to-day. I know that it is not his habit to be here on a Wednesday. If he had been here I should have called his attention to the fact that under these Acts women are subject to nine months' confinement,

*Mr. Jacob Bright*



whilst men in precisely the same condition go absolutely free. I should like to have been able to have asked the right hon. Gentleman whether this legislation squared with his sense of justice. The hon. Member for the University of Edinburgh said that we had a standing Army, of which 90 per cent were celibates, and that they must be protected. This means that a standing Army of men requires an accompanying army of women under Government regulation. Let this be freely admitted, and I believe that standing armies, the great curse of modern times—that institution which inevitably leads to war and all its horrors, would occupy a less secure foundation among us. The hon. Member told us we were standing in the way of a beneficent discovery in science. The examining house, with all its accompaniments, may, indeed, to some minds represent a scientific triumph, but what we have here is at least no recent discovery; it has existed for generations in Continental countries; it has done more to demoralize society there than any other institution that can be named, and there is not one tittle of evidence to show that this country is less healthy than others which have long been subject to this “beneficent legislation.” The hon. Member seems to me to be ignorant of the people for whom he has been sent here to legislate. The tone of his speech reminded me of an answer which was given by a surgeon who was examined before the Parliamentary Committee. The surgeon was asked whether he thought these Acts might safely be extended to the whole country? He said—Yes; he believed all hypocrisy on this subject was now gone, and that the people would accept the Acts. These gentlemen forgot in their calculations one portion of British society not wholly without influence. I mean the women of this country. These men seem to think that the women of England can look on and be at peace, while successive Governments of England are setting their seal upon, and to all appearances contentedly accepting the perpetual degradation of their sex. I am told that these Acts are the work of pious and well-intentioned men. I do not deny it. There are men in this House who support this legislation for whom I have a great respect; but let it be remembered that history teaches us no more frequent lesson than this—that the most indefen-

sible things, the greatest crimes against humanity have been committed by pious and well-intentioned men. Some of the worst things that have ever been done in this country, have been done by Liberal Governments, because the people do not suspect them. It would not have been in the power of the right hon. Gentleman who leads the party opposite to have placed this law upon the statute book. Whether this legislation be good or bad, the First Minister of the Crown and the right hon. Gentleman the Secretary of State for War are more responsible for it than anyone in this House, because they have been influential members of every Cabinet which has sanctioned these Acts. I should advise the whippers-in of the Liberal party to consider the political aspects of this business. A party is being formed in every town in the country which will subordinate all politics to the repeal of these Acts. Men are saying everywhere, if this be Liberalism, then henceforth there is no Toryism of which we need to be afraid. Leading men on the opposite Benches have had their full share in this business; but, at a future election, their agents will not be slow to ask who passed the hateful Contagious Diseases Acts? and the answer must necessarily be, they were passed by Liberal Governments. Before sitting down, let me consider for a moment what was the real course which Government ought to have taken to meet the evil in question. They should have established voluntary hospitals. I shall be told that the voluntary system was tried, and did not produce satisfactory results. It should have been more fully tried, and tried for a longer period. During a period of two or three years it is evident that the compulsory system did not produce the results that were anticipated. Then, Sir, the sanitary arrangements for the Army and Navy should have been improved. I could show from the Blue Books that the men do not possess the ordinary requirements of civilized life, and that they are in some respects scandalously neglected. The Government should have taken a leaf out of the book of my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). They should have protected the soldiers and sailors from the consequences of the unrestricted sale of liquors. This they might have thought too arbitrary a proceeding, although it is not

considered too arbitrary to subject women to the most degrading treatment, and to deprive them of every right. The questions of employment and of greater facility for marriage should have received the earnest consideration of the Government. In short, through these various paths I have no doubt whatever that far greater sanitary results are to be obtained than can ever come from the revolting system which the country all but universally condemns. I will sit down by saying in one word that I believe it is not in the power of Parliament to maintain these Acts. There is no place in the United Kingdom where a public meeting can be called together to defend them, and any Government which undertakes to support them will render itself hateful to the people.

LORD HENRY LENNOX said, that when he entered the House that day he had no intention whatever of taking part in the discussion, but having listened to the speech of the hon. Member for Manchester (Mr. Jacob Bright), especially to that part of it which related to the results of the Albert Hospital at Devonport, he could not remain wholly silent, seeing that, while acting as Secretary to the Admiralty, he had personal knowledge of the details of the working of that institution. The hon. Member for Manchester had challenged the House on two points—first of all he had denied the beneficial workings of the Act; and, secondly, he had denied the moral benefits flowing from it; but he hoped, before sitting down, to give a categorical answer to the hon. Member on both of those questions. Before entering into the matter, however, he wished to express the astonishment with which he had heard the hon. Gentleman complain of the want of publicity in the columns of the newspapers for the views of those who were opposed to those Acts. He must ask the hon. Member what he meant by such a complaint as that. So far from there having been any insufficiency in the degree of publicity given to those views, on the contrary, he deeply regretted the extent to which their publication had been carried, and also the manner in which and the means by which it had been accomplished. For the last few months every day and every hour respectable households had been invaded by pamphlets and statements couched in the most filthy language and

*Mr. Jacob Bright*

containing the most indecent details. Talk, indeed, of the want of publicity—he knew, as a fact, that in the county in which he himself lived (Sussex), the drawing-rooms and breakfast-tables of the wives and even the maiden sisters of the most respectable families had been deluged with publications which deserved no other fate than to be brought under the provisions of Lord Campbell's Act. Another complaint of the hon. Member, to which he had listened with equal astonishment, was that those Acts had been passed without any debate in that House. Whose fault, he would ask, was that? When those Acts were introduced they went regularly through all the various stages, through which all other legislative measures passed, in the ordinary course. Nay, more, whereas in other instances when a Bill had received the sanction of both Houses of Parliament the principle of that Bill was not, in general, again raised for discussion; in the present case, on the other hand, an opportunity was annually given for challenging the principle of these Acts when year after year both the Secretary of State for War and the First Lord of the Admiralty asked the House to vote the sums of money required for carrying the Acts into operation. Therefore, the opportunity afforded for discussing the principle of those Acts was far greater than existed in the case of any other legislative enactment. He now came to the beneficial working of the Acts, which the hon. Member for Manchester had denied, quoting some figures given by Mr. Wolferstan, the house surgeon, to prove that, during a certain period, the number of women admitted to the Albert Hospital at Devonport had increased, and from that, forsooth, the hon. Gentleman proceeded to argue that prostitution in that town had increased. He begged to assure the hon. Member for Manchester that he had taken an entirely erroneous view of the inference to be drawn from those figures, the truth being that the increased number of admissions was owing to the increased knowledge spread among those unhappy women of the great benefits which would accrue to them from being treated in that hospital. The hon. Gentleman also denied that those Acts had any result. Now, having himself, when Secretary to the Admiralty, moved for a Vote of



money for the erection of the Admiralty wing of the Albert Hospital, he told the hon. Member, from an official experience of three years, that the reason why the results of those Acts had not been more satisfactory and complete was the limited area over which they operated, and the comparatively limited sums which had been expended in carrying them out. The really beneficial effect of those Acts, he contended, could not be properly appreciated from the present system of partial treatment, as that disease required, like all other diseases of the same kind, a policy, so to speak, of stamping-out to be applied to it. He would also mention that at Sheerness, in the year 1867, the Admiralty received official intimation that the disease had then been all but completely stamped out. The hon. Member for Manchester, referring to the Devonport Hospital, had stated that 500 women were annually driven up, forced, bullied, and compelled even by fraud in high places to enter those institutions. Now, he begged leave, speaking from official knowledge, to give his most positive contradiction to that statement, and to say that, so far from force, bullying, or official fraud being required, those wretched women flocked up, anxious to enjoy the benefits of the hospital, and fearful of nothing but the jeers of the companions whom they had left outside. The hon. Member had likewise asked how the treatment they underwent could improve the morality of those women, and whether the examining room was to be regarded as the reformatory. Again he would be happy to give the hon. Gentleman a categorical answer, and to tell him that the most beneficial moral results had been produced by those Acts. Very many of the cases in our seaport towns were those of the lowest and most ignorant class, who, it was found when admitted to the hospital, had been brought up to prostitution as their natural trade. They were grossly ignorant of even the first rudiments of religion, and equally so of any occupation which would enable them to gain an honest livelihood. In that hospital at Devonport those unfortunate women were not only cured of a loathsome disease, but during their cure received the ministrations of the chaplain, were taught those first principles of religion of which when admitted they were supremely ignorant, and were practised

in all those kinds of domestic and household work which, when they left the institution, would enable them to earn their living without returning to their former career of degradation. The hon. Member for Manchester had spoken of the policy of those Acts as being a purely Liberal policy. He begged leave to deny that assertion, stating that the First Lords of the Admiralty under whom he had served, and he himself also, as the Secretary of that Department, had cheerfully done their best to carry out the policy inaugurated by Lord Clarence Paget in that matter. Notwithstanding the tempting prospects held out by the hon. Member for Manchester that, at the next General Election, the present Liberal majority in Parliament would be turned into a Tory ascendancy, he, for one, utterly repudiated any support given either to himself or his party on any such grounds as those indicated by the hon. Gentleman, and he only hoped that the hon. Member who was supposed to be then taking shorthand notes of the proceedings of the House would make it known to the public that he, at all events, had disclaimed any endeavour to make party capital out of that question. In conclusion, he had to apologize for intruding upon the attention of the House, and he repeated that he had had no intention of speaking, but he really could not allow the erroneous statements of the hon. Member for Manchester to pass without rising to implore the House to pause in its condemnation of a measure which he believed was calculated to promote the best social and moral interests of the country.

#### MR. WHITBREAD—

CAPTAIN VIVIAN regretted that the hon. Member for Cambridge had not been content to let this disagreeable subject be considered by the Royal Commission, which was to be appointed, instead of consuming the time of the House in a useless discussion. As, however, the debate had been renewed it was his (Captain Vivian's) duty, though very reluctantly, to trespass on the time of the House, in order that he might contradict some of the unfounded charges which had been brought against those who administered this Act, and explain the reasons why, in his opinion, this most unpleasant subject had to be dealt with by Parliament. But before he entered

upon the question, he wished fully to endorse what had been said by his noble Friend the Member for Chichester as to the reprehensible steps taken by those who were opposed to this legislation. He (Captain Vivian) did not for a moment question the sincerity and earnestness of their motives. But he did question the prudence—nay, more, the decency—of their acts. The hon. Member for Manchester spoke of “Zealots,” and said that they were not remarkable for discretion. There were generally zealots to be found on both sides of a question, and he could not congratulate those who were among the opponents of these Acts on their discretion. He (Captain Vivian) held in his hand the last of the numerous disgusting publications with which hon. Members had been inundated for the last six months. The pamphlet was signed Garth Wilkinson, and, for his part, he had never seen so filthy—he could use no milder term—a production in the English language. His hon. Friend the Member for Bedford had said the Government had made a mistake in bringing in so stringent an Act. They should have been contented, he said, with the voluntary Lock wards which were always full during the time they were in action, and were a great success. Now, his hon. Friend himself admitted they were not a success, inasmuch as some of the unfortunate women were undoubtedly in the habit of leaving the wards before they were well. That was, in fact, the case, and to a much greater extent than his hon. Friend supposed. It was not that one or two left the wards before they were cured; but experience unmistakably proved that when a ship came into port or a regiment into garrison, and these poor women saw their way to driving a thriving trade, they used to leave in shoals, whether cured or not, so that the voluntary wards, so far from being a success, were an utter failure. That being the case, and this terrible scourge being on the increase, it was necessary to do something, and hence the cause of the Act of 1864 being introduced. Hon. Members had said that these Acts were smuggled through Parliament. It was not to be wondered at that Parliament did not like to discuss openly such painful and disgusting subjects; but were they smuggled through Parliament? Why, the Act of 1864 was based upon the recommenda-

*Captain Vivian*

tion of a Committee composed of Members whose names were as follows:—

“Mr. Spencer Walpole (Chairman), Lord Clarence Paget, Sir John Pakington, Mr. Hennessy, Mr. Hunt, Lord Hotham, Sir James Fergusson, General Peel, Mr. Liddell, Sir Harry Verney, Mr. Aytoun, Sir Morton Peto, Sir John Trelawny, Mr. Kinnaird, Mr. Locke, The Marquess of Hartington, Sir George Grey, Captain Jervis, and Mr. Longfield.”

It would have been impossible to find a more impartial Committee, or one composed of Gentlemen of higher Parliamentary position. The hon. Gentleman proceeded to criticize the proceedings of the Committee of the House of Lords of 1868. He described that also as a partial Committee. It was not his (Captain Vivian's) duty to defend the proceedings of the other House of Parliament; but this much he would say, that a Committee which numbered among its members the names of Lords Ebury and Nelson—names which commanded confidence and respect wherever they were mentioned—could not be open to the criticisms the hon. Member had made. Then, again, there was the Committee of 1869, of which he (Captain Vivian) had the honour to be Chairman, and which was composed of the following Members:—

“Mr. Childers, Sir John Pakington, Captain Vivian, The Marquess of Hamilton, Mr. D. Dalrymple, Mr. Percy Wyndham, Mr. Kinnaird, Mr. Collins, Sir John Simeon, Mr. James Lowther, Mr. Rathbone, Lord Eustace Cecil, Lord Charles Bruce, Sir James Elphinstone, Mr. Murphy, Mr. Tipping, Dr. Brewer, Mr. Mills, Captain Grosvenor, Sir John Trelawny, and Mr. Mitford.”

The right hon. Member for Oxfordshire had, at the beginning of this debate, severely animadverted upon the proceedings of that Committee. He said they were open to two charges—first, that they called no witnesses who were not favourable to their own views; secondly, that they took care to put no questions to the witnesses which were not sure to extract such replies as would be favourable to the views of the Committee. Now, those were grave charges to bring against a Committee of the House of Commons. If they had been made by an hon. Member of less standing and position in the House than the right hon. Member, he (Captain Vivian) would probably have passed them by unnoticed; but when the right hon. Gentleman made them, it was his (Captain Vivian's) duty to notice and repudiate them. It was only enough to



point to the names of those who composed the Committee to show how absurd it was to suppose that they would have lent themselves to such an unworthy course of proceeding. But was it the fact that only favourable witnesses were examined? Why, Dr. Balfour and Mr. Simon were examined. To be sure, the first had become a convert to the Act from experience; but when he was summoned as a witness, the Committee had no reason to believe that his evidence would be in favour of the Act; on the contrary, he was the sole dissident from the Report of the Venereal Committee of 1866-7. And, as to Mr. Simon, he certainly did not give very favourable evidence in support of the Act. The right hon. Gentleman should think twice before he made charges which tended to weaken the respect and confidence which the public ought to feel in Committees of that House. And now to the discussion of those Acts and their effect. There appeared to be three objections to them—first, that they legalized immorality; secondly, that they increased instead of suppressing vice; thirdly, that innocent women were exposed to insult. With regard to the first objection, it would not be necessary for him to say much, as his hon. Friend the Member for the University of Edinburgh had so fully gone into and answered that branch of objection; but this much he (Captain Vivian) might be allowed to say, that those Acts no more legalized prostitution than compulsory vaccination legalized small-pox, or than putting a drunken man in the lock-up legalized intoxication. The religious objection to the Act—namely, that to attempt by legal enactment to suppress a disease which was meant by Providence as a scourge on dissolute men—was neither new or surprising. It was raised when Jenner invented vaccination, and when the use of chloroform to suppress pain was first introduced. It had always been, and would probably continue to be, raised against all efforts at legislation of a similar character. In addition, however, he must be permitted to remark that some of those whose lives were dedicated to the improvement of morality—he referred to clergymen of the Church of England and others—and whose experience of the working of those Acts qualified them to give an opinion on the subject, held very opposite opinions to those of the hon. Members

for Cambridge and Manchester. He held in his hand letters from various clergymen, extracts from some of which he would read to the House. The Rev. L. H. St. George says—

“I have the honour to remark that the general conduct of the girls during the quarter has been very satisfactory. They have not only been steady and attentive during service, but evinced an earnestness which has been most gratifying.”

The Rev. G. Dacre says—

“Of the beneficial working of the system there cannot be a doubt. The girls came into the hospital turbulent, lawless, and godless, and it is astonishing the change that a few weeks produces in them. In many instances they would give up their profession, and remain in the hospital until they had proved the sincerity of their resolutions if they would be allowed. . . . Mrs. Brown’s (the matron’s) method is so judicious that, after a short residence, the poor creatures are apparently perfectly contented and happy.”

The Rev. J. F. Burlton says—

“There can be little doubt left in the minds of those who have watched the working of this Lock Hospital, that the benefits are beginning to be appreciated. There is a general acknowledgment that the conduct of the prostitutes in and about the town of Aldershot is less indecent, and their habits more quiet and sober than before its establishment. Inside the hospital they submit to the steady discipline of the place, and in most instances express their gratitude for the kind treatment they receive. During the last quarter 23 women have expressed a determination to lead a different sort of life. Nine at their own request, earnestly made, have been sent to asylums, and 14 to their friends.”

The Rev. H. Everett says—

“My opinion has been formed by six years’ work as a clergyman in Devonport. I have myself married women to respectable men, who have declared to me that the turning-point in their lives was the time of their residence in the Royal Albert Hospital. I am perfectly certain that we have done, and are still doing, a great and good work within the walls of our hospital. A great deal has been said here about virtuous women being arrested and examined; this, if true, would be a horrible thing, and to be avoided at any price. Here, again, I have taken a good deal of pains in a quiet way to gather reliable information, and am convinced that here there has been gross exaggeration. I cannot find—nor can I hear of anyone else who can find—a single true case where a modest woman has been arrested and examined. Since the operation of those Acts I am certain that the number of prostitutes has greatly decreased in Devonport; that disease and suffering are much less rife among them; and I am also quite certain that very many women have been entirely reclaimed, and have altogether abandoned their vicious life in consequence of the teaching and advice they have received during their stay in the Lock wards.”

Another clergyman, of considerable experience, says—

"I have good reason to hope that many who have been brought to the hospital by the police officer have seen, during their enforced seclusion, the error of their ways, and have been really and permanently reformed. I speak, however, with no certainty, because time alone can settle the question. The whole question is involved in difficulty; but I at present think that this terrible disease needs a most potent medicine, that something must be done; and that the Act in question, although not perfect, is a step in the right direction, and is worthy of painstaking support and a patient trial."

And with that he would dismiss that part of his subject. He next proceeded to discuss the second objection to these Acts—namely, that they tended to increase vice. His hon. Friend the Member for Cambridge said that he based his objections on higher grounds than mere statistics, and that he repudiated statistics. But in discussing such a matter as this it was impossible to ignore statistics; and he (Captain Vivian) thought he could show to the House by statistics that, so far from "increasing vice," the direct tendency of these Acts was to diminish vice, and that their effect had been as satisfactory in a moral as in a physical point of view. First, as regarded the increase or decrease of disease among soldiers and sailors in the protected districts. He (Captain Vivian) held in his hand a Return of the percentage of disease in the Army and Navy for each of the years the Act had been in operation—

"31st December, 1865, 22·63; 31st December, 1866, 18·87; 31st December, 1867, 18·00; 31st December, 1868, 12·19; 31st December, 1869, 11·06."

That Return showed clearly that disease of this character had in five years been diminished by one-half. The hon. Member for Manchester said that in those countries—namely, France and Belgium—where acts of a similar character had existed for many years, the health of the soldiers was, notwithstanding, worse than in our own Army. He (Captain Vivian) had obtained a comparison between our Army and the two other armies which had been referred to—

"The average loss of days' service in Home Stations of English Army is equivalent to seven days loss of service of the whole Army in a year. France loses four days; Belgium three days. 1862—Before the Acts were in operation our Army lost eight days."

But what did medical officers say on that subject?—

*Captain Vivian*

ALDERSHOT.

Medical Officer, 35th Regiment.

"Venereal affections, which are little more than half the number returned for 1868, notably diminished during the period the troops were quartered at Aldershot, the existence of a Lock Hospital being conducive to that result."

PORTSMOUTH.

Medical Officer, 25th Regiment.

"The percentage of admissions for venereal during this year has been much less than the prior year, owing to the better working of the Contagious Diseases Act."

WINDSOR.

Medical Officer, 3rd Battalion Grenadier Guards.

"It is gratifying to be able to state that since the arrival of the Battalion at Windsor a marked exemption from this disease has taken place, owing, doubtless, to the successful working of the Contagious Diseases Act, affording ample proofs of its good effects."

So far, then, as the effect on the health of the Army went, it was clear that those Acts had been eminently successful even in the short time during which they had been in operation. Now let them see how they worked as regarded these unfortunate women—

"The number of women coming within the provisions of the Contagious Diseases Act from its first coming into operation has been 7,766. Of these, 2,558 left the districts; 385 were married; 451 entered homes; 1,249 were restored to friends; 107 died; total 4,750—leaving 3,016 still on the register."

That could not be considered but as a most satisfactory Return, for the moral effects of this Act appeared from it to be not less important than the physical. The numbers of those poor creatures had not only diminished, but a large percentage of them had been reclaimed from their life of sin and restored to their friends; and those beneficial effects were not confined to one or two of the protected districts, but extended in pretty equal proportions over all, as the following Return showed:—

"Number of women in the under-mentioned districts since the Act came into operation till the present time:—

|                   | Registered. | Now on Register. |
|-------------------|-------------|------------------|
| Portsmouth .....  | 1726        | 695              |
| Devonport .....   | 2394        | 645              |
| Sheerness .....   | 256         | 52               |
| Chatham .....     | 692         | 325              |
| Woolwich .....    | 703         | 191              |
| Aldershot .....   | 778         | 328              |
| Windsor .....     | 145         | 52               |
| Shorncliffe ..... | 270         | 122              |
| Colchester .....  | 172         | 81               |

The remainder of the towns only came under the operation of the Act this year; but yet there is a diminution of prostitution even in them. They are—Greenwich, Winchester, Dover, Canterbury,



Deal, Maidstone, Gravesend. The balance between those originally on register and those remaining is accounted for by those who have left the district, or married, or entered homes, or restored to friends, or died."

And even among those poor creatures who still continued their pitiful career, there was a marked improvement in their general habits. Captain Harris wrote on that point as follows:—

"The improvement that has taken place in the persons, clothing, and homes of the common women, as regards cleanliness and order, is most marked. Many of the women formerly looked bloated from drink, whilst others were greatly emaciated, and looked haggard through disease. Their language and habits are greatly altered. Swearing, drunkenness, and indecency of behaviour have become quite exceptional. The women now look fresh and healthy, and are most respectful in their manners; in fact, these poor creatures feel that they are not altogether outcasts from society, but that there are people who still take an interest in their moral and physical welfare."

The hon. Member for Bedford said that there was one part of this great social evil which these Acts did not, and could not, reach. He described it as the "broad border" which surrounded those poor creatures who lived only by a life of prostitution. He (Captain Vivian) owned frankly and freely that this was a great difficulty, and one that neither these Acts, or any other, could fully grapple with. But even here they found that indirect benefits arose from the Acts, for Captain Harris reports that—

"Clandestine prostitution, particularly amongst married women and servant girls, has much diminished; this, in all probability, proceeds from the fear of being brought under the operation of the Act."

One other evidence he would produce to show that prostitutes had largely diminished in numbers in protected districts.

He (Captain Vivian) found that the prostitutes in the three towns of Devonport Stonehouse, and Plymouth had fallen from 2,020 in 1865 to 650 in 1869, and the houses of ill-fame, from 410 in 1865 to 125 in 1869—in short, a whole street had been swept away. The hon. Member for Manchester had cited Dr. Balfour as not being very favourably disposed towards these Acts, and he had quoted some figures of Dr. Balfour's in support of that assertion. He (Captain Vivian) held in his hand evidence contained in a Return, lately received from Dr. Balfour, contrasting the protected with the unprotected districts, which threw quite a different light on this subject—

This Table shews—

1st—That the reduction effected by the Contagious Diseases Act has been in the amount of Venereal sores, or that form of disease which is likely to be followed by constitutional mischief. The amount of Gonorrhæa has been very slightly affected.

2nd—The reduction in the admissions by primary Venereal sores has been steadily progressive at the protected stations, while no such decrease has taken place at the other large stations—on the contrary there has been, in the last two years, a slight increase.

The reduction in 1866 may have been in some degree due to the Act of 1864 having been in force at Devonport, Portsmouth, and Chatham.

The fluctuations at each station may be in some degree the result of the small numbers—the averages are more reliable, the numbers under observation in each year not being under 24,000 men.

Table shewing the ratio of admissions per 1,000 of mean strength by primary Venereal sores and by Gonorrhæa during three years prior to the Act coming into operation at each of the stations (except Windsor) to which the Contagious Diseases Act of 1866 has since been applied, with the average for each year at these stations and at the other large stations to which the Act has not been applied:—

|                                 | Ratio per 1,000 of mean strength admitted in |            |                        |            |                        |            |
|---------------------------------|----------------------------------------------|------------|------------------------|------------|------------------------|------------|
|                                 | 1864.                                        |            | 1865.                  |            | 1866.                  |            |
|                                 | Primary Venereal Sore.                       | Gonorrhæa. | Primary Venereal Sore. | Gonorrhæa. | Primary Venereal Sore. | Gonorrhæa. |
| Devonport and Plymouth          | 110                                          | 116        | 133                    | 147        | 82                     | 169        |
| Portsmouth                      | 121                                          | 130        | 113                    | 137        | 100                    | 166        |
| Chatham and Sheerness           | 88                                           | 146        | 86                     | 139        | 83                     | 161        |
| Shorncliffe                     | 82                                           | 91         | 86                     | 96         | 57                     | 111        |
| Woolwich                        | 80                                           | 86         | 76                     | 82         | 89                     | 84         |
| Aldershot                       | 105                                          | 121        | 100                    | 112        | 81                     | 88         |
| Average of preceding            | 100                                          | 117        | 96                     | 117        | 84                     | 98         |
| Average of other large Stations | 119                                          | 110        | 103                    | 117        | 98                     | 104        |

Table shewing the ratio of admissions at the stations during the three years in which the Act has been in operation, with the average of these stations and of the other large stations at which the Act has not been in operation ;—

|                                 | Ratio per 1,000 of mean strength admitted in |            |                        |            |                        |            |
|---------------------------------|----------------------------------------------|------------|------------------------|------------|------------------------|------------|
|                                 | 1867.                                        |            | 1868.                  |            | 1869.                  |            |
|                                 | Primary Venereal Sore.                       | Gonorrhœa. | Primary Venereal Sore. | Gonorrhœa. | Primary Venereal Sore. | Gonorrhœa. |
| Devonport and Plymouth          | 76                                           | 178        | 66                     | 148        | 74                     | 124        |
| Portsmouth                      | 116                                          | 180        | 86                     | 188        | 62                     | 125        |
| Chatham and Sheerness           | 71                                           | 181        | 63                     | 156        | 41                     | 114        |
| Shorncliffe                     |                                              |            |                        |            | 60                     | 100        |
| Woolwich                        | 88                                           | 115        | 46                     | 95         | 52                     | 88         |
| Aldershot                       | 81                                           | 99         | 77                     | 100        | 63                     | 104        |
| Windsor                         |                                              |            |                        |            | 93                     | 81         |
| Average of preceding            | 86                                           | 131        | 70                     | 129        | 59                     | 106        |
| Average of other large Stations | 106                                          | 127        | 103                    | 125        | 111                    | 102        |

He (Captain Vivian) had shown by official Returns that, so far from these Acts having the effect imputed to them—namely, to increase vice—they had exactly an opposite effect. Disease had decreased—the numbers of prostitutes had decreased very largely—many had been reclaimed from their life of sin and restored to their friends—houses of ill-fame had diminished in numbers. But it might be objected that his evidence being of an official character, was open to suspicion, as it came from those only whose duty it was to administer these Acts. But he (Captain Vivian) held in his hands evidence of a quite impartial nature—evidence of those whose duty it was to watch over the moral and physical conditions of their districts, and who were, therefore, well able to form an opinion whether these Acts had a beneficial effect on their neighbourhood or the reverse. Here was a resolution of the Guardians of the Farnham Union, which was unanimously passed—

“Guardians of Farnham Union, in December last, unanimously expressed their approval of the Act, and their sense of the benefits it had produced in Aldershot and the neighbourhood.”

Of course, he (Captain Vivian) did not bind any guardians who might not have been present at that meeting to that expression of opinion; but those who were present were unanimous in their view. The Mayor of Dover, writing to the Commissioners of Police, under date 16th May, said — “The Act, I consider, has proved most beneficial.” And, lastly, the strongest im-

partial evidence of the opinion of the gentry and clergy in the neighbourhood of those towns where the Act was in operation, came only lately to the War Office, in the shape of a Petition to the Secretary of War, praying that these Acts might not be repealed. That Petition was signed by the Mayor and ex-Mayor, Head and Assistant-Master of College, an Archdeacon, 13 local clergy, and many magistrates and gentry. And now to combat the third objection—namely, “Innocent women are exposed to insult.” Now, a great deal had been said, both in that House and outside, on that head; and most erroneous statements as to the manner in which those Acts were worked by the police had been encouraged and circulated by the opponents of the Acts—statements of a general character that honest, virtuous women had been frequently accosted and insulted by the police, threatened with all sorts of punishment if they did not submit themselves to medical discipline, &c.; and some had been bold enough to bring forward special cases, mentioning the names of those injured innocents. Every one of those special charges had been met, inquired into, and fully and completely disproved by the authorities; and he (Captain Vivian) held in his hand at that moment the detailed statement and refutation of each case; but as the hon. Member for Manchester had not repeated any of those charges that afternoon, he (Captain Vivian) would not weary the House by reading these

*Captain Vivian*



Papers. He would content himself by now again openly challenging the hon. Member for Manchester, or any of his Friends, to produce one single instance of any woman having been improperly interfered with. Some hon. Members, and many out of doors, appeared to be under the impression that these Acts were entrusted to the rural and local police to administer, and that any common policeman could at his pleasure arrest any female he saw in the street, and compel her to attend for examination. But that was not so. The rural and local police had nothing whatever to do with these Acts. They were entrusted to a few carefully selected married men of the Metropolitan Police; and he must remark, in passing, that nothing could exceed the tact and discretion which those officers had displayed in administering Acts which he fully admitted required most delicate handling. He (Captain Vivian) would read to the House the number of police in each protected district who were alone charged with those duties—

| Station.                  | Inspectors. | Sergeants. | Constables. | Total No. |
|---------------------------|-------------|------------|-------------|-----------|
| ENGLAND.                  |             |            |             |           |
| Woolwich .....            | 1           | 1          | 4           | 6         |
| Aldershot .....           | 1           | 1          | 7           | 9         |
| Windsor .....             |             |            | 1           | 1         |
| Winchester .....          |             |            | 1           | 1         |
| Shorncliffe .....         | 1           |            | 3           | 4         |
| Colchester .....          | 1           |            | 2           | 3         |
| Canterbury .....          | 1           |            | 1           | 2         |
| Dover .....               | 1           |            | 2           | 3         |
| Chatham .....             | 1           |            | 2           | 3         |
| Gravesend .....           |             |            | 1           | 1         |
| Maidstone .....           | 1           |            | 1           | 2         |
| Total for England .....   | 8           | 2          | 25          | 35        |
| IRELAND.                  |             |            |             |           |
| Cork and Queenstown ..... | 1           | 2          |             | 3         |
| Curragh .....             | 1           | 2          |             | 3         |
| Total for Ireland .....   | 2           | 4          |             | 6         |

The power of those men, again, was so limited and controlled, that even were they disposed to be indiscreet, it would be impossible for them to be so without exceeding their powers. For the following were the forms which must be gone through before a woman could

be compelled to attend for examination:—1. A policeman charged with the duty—one of those he (Captain Vivian) had enumerated—having satisfied himself that there was good reason to suppose a woman was leading the life of a common prostitute, reported the case to his inspector. He must not speak to the woman, or interfere with her himself. He reports to his inspector. 2. The inspector then inquired into the case, and if he was convinced that the policeman had good grounds for thinking the woman was a prostitute—and those grounds amounted almost to a certainty always before they were acted upon—he (the inspector) gave her notice to attend for medical examination. 3. She was asked if she would sign a voluntary submission, and if she assented she was taken to the surgeon. [The House must bear in mind that all that was done only by the inspector, not by the policeman.] 4. If she refused, the inspector could do no more. His duty then was to report the case to Scotland Yard. 5. The Chief Commissioner then inquired into the matter; and, if he was convinced as to the nature of the life the woman was leading, he ordered her to attend before a magistrate. 6. Even then the woman was not exposed in an open court, because she could attend by deputy—either husband, brother, father, any relative, or a legal adviser might represent her. 7. And it was only after the case had been legally proved that the magistrate ordered her to attend periodical examinations for 12 months. Surely, it was impossible to take stronger precautions against an improper use of the powers of those Acts; and that they were sufficient and satisfactory was proved, he repeated, by the fact that no woman had been improperly arrested under the Acts, and he defied the opponents to prove the contrary. Among the unfair measures resorted to by the “Zealots” who opposed those measures, was that of trying to induce those unfortunates to resist the provisions of the Act; and, to a certain extent, their efforts had prevailed. Lately, and only lately, since printed papers had been circulated, calling on the women in most inflammatory language to resist the Acts, had any disposition to do so been shown. On the contrary, the poor creatures seemed grateful for the kind treatment they received, and expressed themselves so, not

only verbally to the doctors or nurses, but in writing also. He (Captain Vivian) held a few extracts, taken at hazard, from many letters received from some of the unfortunates, who had been reclaimed from their life of sin entirely by the gentle treatment and kind advice they had received in the hospital, while under treatment. He would read a few to the House—

“Give my respects to the Honorable the Gentleman the Doctor that was the means of getting me sent home and may God Bless you all for your kindness to me which I will not soon or never forget.”

Here is another—

“Please to give my kind Love to all the girls that was in the Hospital an tell them if they knew the Happiness and Comfort there was in the place they would all take a right step and alter their minds from what they had when I left—I return many thanks to every body connected with the Hospital.”

A third writes—

“I hope please God I shall soon be able to obtain a situation so that I may be able to do myself some good and to lead a respectable life for the Future and once more to be admitted into good society. please to thank Dr. Barr for all his kindness to me and tell him that we are all very happy and please to give my Love to all the girls that inquire for me in the Hospital. so my dear madam with my very kind regards to you.”

Extract of letter from the mother of a girl who had been induced to return home after discharge from the hospital—

“i am very thankful that thare ever was such a place provided for such poor things and such kinde friendes as to sende har home to har friendes.”

That was the Act which was described as wicked, immoral, brutal, and many things besides. He (Captain Vivian) was sorry to have trespassed so long on the House. He had a duty to perform, and he hoped he had convinced the House that, at least, those Acts should not be repealed, as the hon. Member for Cambridge wished, immediately; but that they should have further trial, and be inquired into by the Royal Commission which was to be appointed. In conclusion, he (Captain Vivian) admitted that that Act aimed only at preventing disease, and did not touch the moral sources of it. But they must deal with the evils by the only means they knew of—namely, those which common sense and medical science suggested. That such means did not strike at the root of the evil, or arrest the passions of dissolute men, were too sadly true. How to do that was a problem which had re-

*Captain Vivian*

mained unanswered for ages; and though by that Act they might fail to solve it, they hoped at least that they might, to some extent, improve the moral condition of those who came under its operation.

MR. MITFORD said, that having been associated with many hon. Members and many others out-of-doors for the purpose of maintaining and, when the country should be prepared for it, of extending the operations of the Acts, he wished to say why he thought they did not deserve the abuse which had been so freely lavished upon them. He regretted that the public had been excluded. Nothing could be more revolting than the subject, but legislators must face it—the see-nothing and do-nothing policy which had led to such a disastrous state of things must be given up, and he thought that their constituents ought to receive correct information on the subject. It was for want of this that people were led away by partial statements and one-sided harangues, and petitioned the House to repeal Acts the provisions of which they were imperfectly acquainted with, whilst they knew nothing of the reasons which imposed upon Parliament the necessity of enacting them. The hon. Member for Cambridge (Mr. Fowler) adjured the House in the name of common sense, of justice, of morality, to repeal the Acts. As regarded common sense—what was it which induced Parliament to touch the question? It was the almost unanimous opinion of the most eminent medical men that a frightful disease was ravaging the country—affecting not only those who had brought it on themselves, but numbers of innocent persons, and, from its hereditary character, undermining the health of future generations. This opinion was corroborated by military and naval men; by captains of merchant vessels, who clearly saw the vast amount of evil among the large bodies of men under their control. Was it not common sense to interfere? And if it were said that it was only the doctors who cried out—the answer was, that the doctors only knew the gravity of the question. Many a poor man suffered and died—many a poor child was born to a life of misery, and died a premature death. Friends and relatives were not informed of the cause—the doctors alone knew it too well. As regarded justice—



justice between the sexes, and justice between what the right hon. Member for Oxfordshire (Mr. Henley) called the silk gown and the stuff gown—those who approved of the Acts had no desire to restrict their benefits; and when the nature of things was altered, when men adopted as a profession, as a means of livelihood, the career of the prostitute, the law should apply to them. As it was, the Committee of 1869 recommended unanimously that periodical examinations of soldiers should be made. As between the silk gown and the stuff gown, they would also like to apply the laws equally; but you could not get at the one; you could not invade the sanctity of a private house; you could at the other, who solicited and walked the streets; and there was no reason why you should not benefit those you could, if you could not benefit all. As regarded morality, he admitted that there were two sides to the question, and that encouragement to vice might be sometimes given by immunity from the effects of vice. On the other hand, it was well known that many women were deterred from adopting a vicious life by the irksome restraints of the Acts—that, in some of the towns under them, there was much less open temptations in the streets—whilst many poor women had been saved by the kindness, the moral and religious teaching given to them in hospital. Statistics showed this clearly. And when they knew that some of the most eminent men in the country, including several Bishops, clergy of all denominations, the leading authorities of our two great Universities, had memorialized Government for extension of the Acts, could it be thought that morality would suffer seriously? With regard to repealing the Acts, he would show the consequence of it by citing the case of “E. H.,” which had been selected by the hon. Member for Manchester as a special case of grievance, and about whom that hon. Member had asked a Question of the Home Secretary some time ago. The answer showed that “E. H.” had been examined as required by the Acts 14 times, had been sent to hospital 5 times, and was in prison because she refused to be examined again. What would happen in repeal of the Acts? “E. H.,” and hundreds of others like her, would be sent out of hospital more or less diseased, and, having no

other means of livelihood, would pursue their vocation in the garrison and seaport towns. The House might imagine the consequences. Opponents of the Acts would say—“None but those who sinned would suffer.” But it was not so. The essence of the case of those who supported the Acts was that people as innocent as the hon. Member for Manchester himself, and that children now unborn, might or might not be sufferers. As regarded herself, what happened? You had taken her from a place where her body and soul were cared for, perhaps for the first time in her life—whence she would have been sent at the public cost to her home, if she could be persuaded to go. You let her go from bad to worse. She might by-and-by, driven by want and disease, again apply for relief, when in that state when doctors could do nothing; and the end would be that she would be found some day dying in a garret, or under a hedge, or wherever she could hide her wretched head. This was no fancied picture. Those who knew Aldershot had seen too much of it. Some might remember the letters signed “The Wren of the Curragh” on the same subject. Much had been said about degrading a woman. He ventured to ask, which course was the most likely to lead to degradation? which course was the most Christian? which the most humane? And still, because they supported these Acts, and tried to save poor women from being a curse to themselves and to all about them, to save them in spite of themselves, they were held up to public execration throughout the country, they were threatened—and the hon. Member for Manchester had repeated that threat—with the loss of their seats. They were denounced in a newspaper called *The Shield*, the organ of their opponents, as—

“Those who, having knowingly made these laws, and are working them in this demoniac style, are monsters who will shortly find England more hot than pleasant for them.”

The hon. Member for Bedford (Mr. Whitbread) recommended that there should be hospitals in the towns frequented by prostitutes, but that there should be no compulsion to enter them. This was tried by our earliest Act on the subject, and found ineffective. Women would not come into them till their cases were far gone, so that cure

was far more difficult, and often impossible; and, unused to confinement, would not stay long enough to be thoroughly cured, but on the arrival of a new regiment or of a new ship, could no longer be induced to stay. With regard to the appointment of a Royal Commission, it would, under ordinary circumstances, be premature to inquire into Acts not yet in full operation, passed after lengthened inquiries by a Commission, and by Committees of both Houses of Parliament; but, so great was the public ignorance on the subject that—

And it being now a quarter to Six of the clock—

Debate further adjourned till To-morrow.

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

Thursday, 21st July, 1870.

MINUTES.]—PUBLIC BILLS—*First Reading*—Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* (227); Pier and Harbour Order Confirmation (No. 3)\* (228); Local Government Supplemental (No. 2)\* (229); Sewage Utilization Supplemental\* (230); Exchequer Bonds (£1,300,000)\*; Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment\* (231); Vestries (Isle of Man)\* (232); Shipping Dues Exemption Act (1867) Amendment\* (233).

*Second Reading*—Settled Estates (191); Wages Arrestment Limitation (Scotland)\* (192); Ecclesiastical Courts (26); Juries\* (213); Sugar Duties (Isle of Man)\* (209); Stamp Duty on Leases\* (148).

*Select Committee*—University Tests (182), nominated.

*Committee*—Pier and Harbour Orders Confirmation (No. 2)\* (188); Gas and Water Facilities (111-222); Judicial Committee (212-224).

*Committee—Report*—British Columbia\* (123); New Zealand (Guarantee of Loan)\* (207); Curragh of Kildare\* (183).

*Report*—Evidence Further Amendment Act (1869) Amendment\* (75); Married Women's Property (216-223); Medical Officers Superannuation\* (169-226); Tramways\* (204-226).

*Third Reading*—Public Health (Scotland) Supplemental\* (217); Liverpool Admiralty District Registrar\* (218), and passed.

### SETTLED ESTATES BILL—(No. 191.)

(*The Earl of Airlie.*)

#### SECOND READING.

Order of the Day for the Second Reading, read.

*Mr. Mitford*

THE EARL OF AIRLIE, in moving that the Bill be now read the second time, said, the measure had passed the other House with little opposition, and was there supported by Sir Roundell Palmer—a circumstance which indicated that it proposed no sweeping change in the law. Its object was to enable limited owners to charge their estates, under certain limitations, with the cost of erecting mansion houses thereupon, such charge not exceeding three years' net rental. The principle was already recognized in Scotland in an Act called the Montgomery Act, which had been in operation about a century, and had been found to work well. The Montgomery Act allowed a charge not exceeding two years' rental for the erection or enlargement of a mansion; and a subsequent Act authorized the sale of so much of an estate as was required to carry out improvements. Dr. Hancock, in his official Report on the landlord and tenant question in Ireland, referring to the Montgomery Act, said—

“This is founded on the principle that for a proprietor to reside with his family on his estate and discharge the duties of his position is one of the greatest improvements that he can effect upon it. The Montgomery Act accordingly provides that proprietors building mansion houses and suitable offices may charge, within certain limits, a proportion of the expenses to their heirs of entail. The non-residence of Irish proprietors has been a frequent subject of observation, and it is but reasonable that the provision which was adopted in Scotland to prevent the strictness of entails interfering with the building of mansion houses should be applied to prevent the strictness of settlements producing the same result in Ireland.”

Several noble Lords and hon. Members connected with Ireland had expressed a like opinion; and he had also received numerous representations from English landowners, who, from the absence of a mansion and their inability to charge their estates with the cost of erection, were reluctant absentees. Under these circumstances, the Bill had come up from the other House, where it had received very general support. The Bill incorporated the provisions of the “Improvement of Land Act, 1864;” and required that the mansion proposed to be erected or completed or enlarged should be suitable to the estate; the charge which the landowner was enabled to put on his estate in respect of these buildings was limited to three years' net rental. The increased value resulting



from the outlay of any sums expended beyond the charge was to be taken into account; and in cases where it seemed doubtful whether the buildings proposed to be erected, though suitable to the estate, would add to the yearly value of the lands, the Commissioners had discretion as to certifying the improvements. Without their certificate the charge could not be imposed. The charge, unlike other improvements, would not take priority over other charges. The Bill extended to England and Ireland, but not to Scotland.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Airlie*.)

THE DUKE OF RICHMOND said, as the measure proposed a serious alteration of the law with respect to settled estates, he thought it was important that their Lordships should have an expression of opinion on the subject from Her Majesty's Government. He did not quite concur with the noble Earl (the Earl of Airlie) in thinking that the Montgomery Act of Scotland was on all fours with the present Bill. He confessed, however, that he had not had as yet an opportunity of seeing the Bill. His noble Friend had not stated how many years it was proposed to allow for the repayment of the amount expended upon these buildings or improvements.

THE LORD CHANCELLOR said, that the Law Officers of the Crown approved the principle of the Bill, which had been amply discussed in the other House, and had met with general assent. It seemed to him of the highest importance to hold out inducements to landowners—especially to Irish landowners—to reside on their estates. Admitting that three years' rental was somewhat excessive, and that the statutory declaration of the owner as to the cost would be an insufficient barrier against fraud, he thought the defects of the Bill could be remedied in Committee. He could not see why a principle that had worked well in Scotland should not work beneficially in England and Ireland.

LORD REDESDALE said, that the value of the estate on which the mansion was built should be alone taken into account, and not, as the Bill proposed, that of the owner's other estates in addition; for in the latter case a gentleman who had a large estate in England and a small one in Scotland might erect on

the latter a mansion which to his successor would be useless.

LORD CAIRNS said, he could not admit that a law which worked well in Scotland would necessarily work well in England. In Scotland entails were perpetual; whereas in England and Ireland they were broken after short intervals, and in any future settlements such charges as were thought proper could be placed upon the estate. He objected to the principle on which the Bill was founded. Under its provisions there was nothing to prevent the Commissioners from sanctioning a charge for buildings which might afterwards be an incumbrance and injury to the successors. There was nothing in the Bill which gave the persons in remainder any veto in the matter, no matter how extravagant the proposed charge on the estate. He thought it would be much better to leave any question of this kind to be settled by contract between the parties interested. He thought that the Act of 1864 gave all powers that could be usefully required.

THE EARL OF AIRLIE said, that the interval spoken of by the noble and learned Lord might be as long as 20 or 30 years. The Commissioners would naturally refuse to certify the erection of a large mansion on a small estate. It was provided that this Act should be read with the Act of 1864, which provided for the protection of reversions by the power of appeal to the Court of Chancery.

LORD CAIRNS thought the Court could only intervene when one of the dissenting parties was an infant.

LORD O'HAGAN pointed out that the 18th section of the Improvement of Land Act provided for the intervention of the Court of Chancery in all cases, and the present Bill afforded greater protection to encumbrancers even than that Act. If the principle of the Act was good, why should it not be applied to Ireland? The Act was valued by all economists, and had been productive of great good by giving limited owners the power of carrying out permanent improvements. The Montgomery Act had proved very beneficial in Scotland by inducing the landlords to reside on their estates; and, in the same way, if extended to Ireland, would be a great discouragement to absenteeism. In no country was it so important that the different classes of

society should be knit together, and nothing deterred residence more than the absence of mansions. He knew multitudes of instances of very large estates—principalities indeed, producing £30,000 per annum—the owners of which were frequently absent for 50 years, and who, when they did visit, were obliged to go to a miserable country inn, or to the agent's house. Such entertainment did not encourage men to come from luxurious palaces elsewhere. In that point of view the Bill recommended itself to every man who had the prosperity of Ireland at heart.

THE EARL OF MALMESBURY said, it would be presumptuous in him to say what effect the Bill would have on Ireland; but he was convinced the Bill was totally uncalled for so far as England was concerned. It would simply encourage that dangerous passion for bricks and mortar which had involved many persons in difficulty or ruin. The Montgomery Act contemplated an improved rental of the estate; but the building of country houses impoverished a landowner, and there were sufficient opportunities in England of opening the entail and charging the property with improvements.

THE MARQUESS OF SALISBURY said, he was glad to hear from the Liberal side of the House the principle enunciated that it was desirable that Irish landlords should reside on their estates. It was not often they heard such sentiments uttered on that side of the House—they might slip out now and then by accident—but when they did they ought to make a note of it with joy. He hoped the Liberal party would adhere to the principle that Irish landlords should reside on their estates; but what had been done to induce them to do so? In the first place, the management of their property had been taken from them—they had been heavily fined in regard to their rents, and Parliament had destroyed the Church to which many of them were attached. These were the inducements held out by the Government to the Irish landlords to reside upon their estates. And did they seriously think they were offering any compensation, or in any way retracing their steps, by encouraging them to build country houses at the expense of their heirs? He agreed with his noble Friend (the Earl of Malmesbury) that the passion for bricks

and mortar did not require encouragement. But the question was of much more importance, and he exhorted Gentlemen of the Liberal party, now that the game question and the county jurisdiction question were so much the fashion—and now that other measures were being taken, the direct effect of which was to drive away landlords from their estates and induce them to spend their lives in foreign capitals—to make up their minds on the question of policy whether it was desirable or not that landlords should reside on their estates.

THE DUKE OF ARGYLL said, that the lecture just delivered by the noble Marquess to the Liberal party was not called for either by their recent policy or by this particular Bill. He would not follow the noble Marquess by re-opening the Irish Church or the Irish land question; but he would remind the noble Marquess that Ireland, under the existing law, had not been generally esteemed a peculiarly happy country for landlords to reside in. A great part of it had been disgraced by outrages, and not only the Government, but many persons in the Conservative party—indeed, the noble Marquess himself—had admitted that there was much in the Irish land laws which was unjust to the tenant, and that this was one of the causes which led to those outrages. It was to restore contentment among the agricultural population, and to restrain and prevent outrage in future, that Her Majesty's Government had adopted their present policy. They believed it would succeed, and if it did, it would encourage the residence of the landed proprietary. The Liberal party was a very large one, and included many with whose opinions he did not agree; but he had never heard that it was characteristic of that party to hold that it was unwise to encourage landlords to live on their estates. For himself, he agreed with the noble and learned Lord (Lord O'Hagan), that it was an immense political and social advantage that landed proprietors should be resident. The Montgomery Act had promoted this in Scotland, and he believed its extension to England, and especially to Ireland, would be very beneficial.

THE DUKE OF MARLBOROUGH said, he did not think the Bill was required. It was not difficult for a limited owner to obtain the power of building a man-



sion on his estate if it were required. A short private Act was all that was required, and he thought that the comparatively small expense of this should not be grudged if it was important to expend in this way a large sum—especially as this procedure gave ample securities to the persons in remainder. The Bill was unnecessary, and would enable persons to indulge extravagant fancies in such enlargement of mansions as might be altogether unsuitable.

LORD ROMILLY said, he doubted the propriety of passing this Bill. The object in view could be met by a slight addition to the Landed Estates Act, enabling the Court of Chancery to authorize the erection of mansions as well as other improvements. He had known many instances of applications by the tenant in remainder to pull down a house built by the tenant for life. The Bill would be likely to lead to litigation.

THE DUKE OF CLEVELAND said, that whilst he would admit that there were some objections to the Bill—and, in particular, he thought the power of raising money to enlarge existing mansions inexpedient—still, he believed that there were cases in which the application of the principle of it would be advantageous. It was by no means a revolutionary measure; it was not aimed at the destruction of landed property; its actual object was to enable landlords to reside upon their estates in certain cases. The principle had worked well in Scotland, and no doubt would in this country, and especially in Ireland. As to the objections raised, they could be dealt with in Committee.

LORD LURGAN said, that the expense of obtaining a Private Bill would be a serious bar to a resort to that process by Irish landlords. He thought this Bill would be very beneficial, and should support it.

LORD DUNSANY said, he knew many Irish landlords who were so apprehensive of the results of the Land Bill that for the present, at least, they would be absentees. The Bill ought to authorize the expenditure of money in fortifying houses; for this would be much better than adding to them in any other way.

Motion agreed to: Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday next.

## ECCELESIASTICAL COURTS BILL—(No. 26.)

(The Earl of Shaftesbury.)

### SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF SHAFTESBURY, in moving that the Bill be now read the second time, said, that it was to all intents and purposes the measure which he introduced last Session, and which was referred, together with a counter Bill proposed by the Archbishop of Canterbury, to a Select Committee. The most rev. Prelate was appointed Chairman; and after some time the Committee reported the Bill to the House; but the lateness of the Session and the press of business prevented his then proceeding with it. Only two or three alterations of any importance were made in the Bill upstairs. In the 32nd clause he had proposed that the Bishop, of his own motion, or, in default of the Bishop, three resident parishioners, members of the Church, might promote the Judge's office—that was to say, institute a suit in the case of any offence against ecclesiastical law. The provisions applied to all offences, whether they related to matters of ceremonial or of doctrine. That clause in the Bill had, however, been amended by the Committee, who limited it, by providing that in cases of doctrine the Bishop alone should have the power of taking the initiative in the institution of a suit, the power of appeal to the Archbishop being given in the event of his refusal. The clauses from 60 to 66 were also struck out by the Committee. They related to the appointment of juries for the purpose of trying issues of fact—in his opinion a very excellent provision, and one which he believed many of the Bishops would be glad to see restored. The 77th clause, in accordance with his proposal, provided that the orders and rules for the conduct of the Courts should be drawn up by a Committee of the Privy Council, including two Archbishops; but it had been altered by the Committee, and now the Archbishops of Canterbury and York were empowered to prepare rules and orders for the regulating the mode of procedure, their officers, records, visitation fees, salaries and other matters. These rules and regulations were to be submitted to the approbation of the Queen in Council. Those were the chief alterations

which the Committee upstairs had introduced into the Bill; but it was not his intention, at the present period of the Session, to ask their Lordships to go into Committee on the measure as it now stood. The Bill had been a very considerable time before the House, and he had moved on the 27th of March for certain Returns which he thought would throw light on the whole subject. Of those Returns, some were not presented till a very late period, some had not been presented at all, while others, he believed, had not even begun to be prepared. In consequence of those repeated delays he had been obliged to postpone the question from time to time, and he would now only ask the House to affirm the principle, "Aye" or "No," that in its opinion the state of the Ecclesiastical Courts was such that it required to be remedied. It was in that sense that he now rose to propose the second reading of the Bill. He last year ventured to point out that there were great abuses in those Courts—heavy expenditure, long delays, and a consequent denial of justice. He mentioned that there was a great insufficiency of Judges in legal character and acquirements. That state of things he proposed to remedy by the Bill which he had introduced; but in carrying out that object he had not been by any means so successful as he could wish. He was met at the outset by the objection that the propositions which he made were wholly inadequate in a financial point of view; but, if that were so, so was the whole financial system on which the Ecclesiastical Courts were based at present. He stated that, for the purpose of carrying out his plan, a sum under £30,000 a year would be all that would be required. He had applied to the Registrar General of Births and Marriages, and he found, as he had before mentioned, that on the average of the last 10 years a sum of above £40,000 a year was paid into the hands of the registrars in fees for marriage licences. Other ecclesiastical fees—for ordinations, curates' licences, institutions to livings, and other things, amounted to £20,000 in round numbers, and £60,000 a year, at the very least, therefore, was the money which was paid by the public into the hands of the registrars, for which sum no account whatever was rendered to the public directly or indirectly. These were the figures which resulted from

some of the Returns that had been made; but he believed it would be found that the sum actually paid into the hands of the registrars considerably exceeded £60,000. When Lord Cranworth was Lord Chancellor he introduced a scheme for the reformation of the Ecclesiastical Courts which was much more costly than that he (the Earl of Shaftesbury) proposed, and yet he had declared that the sums which were received by the registrars were ample for his purpose, and would even give a large margin. Let their Lordships for a moment consider what a waste of strength and time and money there was in those Courts. On referring the other day to the 58th volume of *Judicial Statistics* he found that in the year 1868, 15 Judges of the Superior Courts of Common Law had given judgment in 30,451 causes, excluding criminal cases; whereas in the Ecclesiastical Courts, in the same year, 27 Judges had given judgment in only 182 causes, 169 of which were of a most trivial kind. The reform of those Courts had baffled everybody from the time of Lord Bacon to the present day. Lord Cranworth, in introducing his Bill in 1856, used very strong language. He declared that 19 in 20 of the Ecclesiastical Judges were incompetent to perform their duties. He added—

"A Commission appointed in 1830, reported in 1832, and pointed out, as being in an extremely unsatisfactory state, the jurisdiction of the Courts in a great number of matters, and, amongst others, what they called the purely ecclesiastical jurisdiction. They referred to the exercise of jurisdiction in ecclesiastical matters, as distinguished from temporal matters, as very unsatisfactory."—[3 *Hansard*, cxli. 1254.]

And he denounced the procedure in those Courts as cumbrous, dilatory, and expensive. The Bill of Lord Cranworth went further than his (the Earl of Shaftesbury's), because it would have deprived the Bishops of some part of their patronage, while his did nothing of the kind. Lord Cranworth's Bill was thrown out by a majority of 8 in their Lordships' House, and in the majority there were 16 Bishops, all of whom were English; while the Irish Bishops went the other way, stating that they "felt they ought not to allow a regard for their personal or family interests to stand in the way of a reform demanded by the voice of the country." In 1862, Mr. Seymour, M.P. for Poole, writing to *The Times*, said—



"I recently urged the Government to prepare measures for the next Session of Parliament to remedy the acknowledged abuses I have endeavoured to point out. I have received no written answer, but a verbal intimation that the English Bishops are the obstacle in the way of Church reform; and that, until the majority of them agree upon some practicable measure, the Government will not again run the risk of being defeated by them."

He might, perhaps, be asked why he had taken up the matter? He was not insensible of the great responsibility of the task; but all he could say was, that he had taken it up in the belief that he might be able to effect some good, and to wipe away from the face of the Church a stain which led to the imputation being cast upon her that she was a Church which admitted of no reform, and that she was without order and discipline. He was now satisfied that the present Bill could not be passed; but a very sweeping change must be effected by any measure that was hereafter proposed. For his own part, he was utterly indifferent to the fate of the Bill, though he was by no means indifferent to the principle that a sweeping reform was necessary to remove the great evils to which he had adverted, and to effect this he had made a sacrifice of his own convictions, and almost of his own principles. A noble Friend of his had used the expression "that the Church never stood so well in the affections of the people." He (the Earl of Shaftesbury) felt that he could not concur in that observation. He was quite sure, and every day was strengthened in the conviction, that the Church must put her house in order, for their Lordships might depend upon it that she had not an hour to lose, or an affection to throw away.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Shaftesbury*.)

THE BISHOP OF LONDON said, he rose to remove a singular misapprehension on the part of the noble Earl (the Earl of Shaftesbury), who appeared to think that the opposition of the Bishops was the great difficulty in the way of the reform of the Ecclesiastical Courts. On the contrary, he was prepared to thank the noble Earl for his persevering endeavours to cure the evils as to the existence of which all were agreed, and a large portion of the noble Earl's present Bill had been assented to by the Bench of Bishops. It was perfectly true that

Lord Cranworth's Bill was objected to by the English Bishops and approved by the Irish Bishops, because it provided a final Court of Appeal, which English Churchmen thought very undesirable, but which Irish Churchmen were willing to accept, because they possessed no Court of Appeal at all. He was sure there was not a member of the Bench of Bishops who would not say that at the present time ecclesiastical discipline and the Ecclesiastical Courts required reform, although they might not, perhaps, be prepared to use such strong language on the subject as the noble Earl. Some of the present defects in Church discipline arose from the provisions of the Church Discipline Act. In the first place, the preliminary inquiry was unsatisfactory, often resulting in a recommendation to the Bishop which carried with it a condemnation which was not deserved. He might here remark, however, that 10 of the Judges in the Consistory Courts were eminent civilians, that five of the offices in those Courts were held by the Queen's Advocate, others by barristers, and only nine by ecclesiastics. No doubt the Ecclesiastical Courts were hampered by many legal difficulties and placed at a great disadvantage, for the reason that, as ecclesiastical cases had during the last 200 years been limited in number, there were very few precedents to guide their decisions; consequently the proceedings were protracted and uncertain, resulting usually in an appeal. He admitted that such a state of things required amendment. Another great defect in the existing system was that it made no provision whatever for the payment of costs. It had twice been his painful duty to prosecute clergymen. In the first instance the witnesses were not believed; and as, of course, the accused person could not be condemned to pay the costs, they had to be defrayed by the Bishop. In the other case the clergyman was condemned and appealed, and the Judicial Committee of the Privy Council dismissed his appeal without hearing the Bishop's counsel; but, as the clergyman was a bankrupt, there were no effects out of which to pay the costs. Therefore, whether he won or lost, the same penalty was imposed on the Bishop. All these defects were to a considerable extent removed by the present Bill, which made the proceedings more summary and less technical, and professed to pro-

vide funds for paying the salaries of officers and the costs. The noble Earl had stated that he should only require about £30,000 a year to carry out the Bill; but he (the Bishop of London) was inclined to doubt whether this would be sufficient. In the first place, it was proposed to give compensation to all existing officers, who, he presumed, would receive sums almost equal to their present salaries. Then it was intended to appoint Judges with large salaries; whereas the salaries of the present Judges were small. There was also to be a fund raised for defraying costs, and the surplus was to be used for Church purposes. These expenses would swallow up not only all the moneys on which the noble Earl relied, but a very large sum besides. The noble Earl provided, however, that if more money was required, in the first instance application might be made to the Ecclesiastical Commissioners. Now, it was obvious that the granting of a large sum by the Ecclesiastical Commissioners would completely derange all their calculations for some years to come in regard to carrying out the work for which they were appointed by Parliament—namely, the augmentation of small benefices. There were several other points in the Bill which he would not refer to now, but which would require very careful consideration in Committee. One or two were provisions which had been altered for the worse by the Select Committee. One of these related to the mode in which the Bishops were to be put in action. It was provided that three inhabitant householders of a diocese might compel the Bishop to institute proceedings in all cases except those relating to doctrine. In cases of ritual, therefore, he would be obliged to proceed on the requisition of three inhabitants. Cases of doctrine were excepted, he supposed, because there was great uncertainty about them. He regretted that the Select Committee had struck out the clause respecting a jury, which the Bishops had agreed should be composed partly of clergy and partly of laymen. The presence of laymen would not only do away with any ground of suspicion, but would prevent a tendency to severity among the clergy when dealing with one who had disgraced their order.

THE MARQUESS OF SALISBURY said, the noble Earl (the Earl of Shaftesbury) seemed to think that the English people

took a very anxious interest in this matter; but he (the Marquess of Salisbury) did not think this was really the case. The proof of this was to be found in experience. During the last two years the excitement which had prevailed on the question of ritual excesses had very much diminished. - Probably the policy of "masterly inaction" might prove the best; but if the edge of the law were sharpened against them, the new party in the Church would be favoured with a sort of martyrdom, which would excite them to fresh extravagances. He would not, however, dream of opposing the second reading of the Bill, for he held that the amount of expense to which the Bishop was now put in cases of prosecution was a disgrace to the English law. He must, however, join with the rev. Prelate in urging a reconsideration of the provision which enabled three inhabitants of a diocese to set the Bill in motion, to stop something that they might consider a practice contrary to the orders of the English Church. Innovations in the manner of conducting service in a parish church, no doubt, formed a grievance for which there should be a remedy; but no one was aggrieved if a congregation chose to set up a Church to their own liking, however extravagant their ritual, except that the clergyman would be amenable to his Bishop if he departed from the ordinary ritual. To give such extraordinary power to any three members of the Church of England in a diocese would tend to produce religious scandal.

EARL BEAUCHAMP said, that ample opportunity should be given for discussion upon a question so important as that before their Lordships. If this Bill were passed it would cause an enormous demand on the funds of the Ecclesiastical Commission. He deprecated appropriating the fees arising from the sale of marriage licences to pay for the costs, even if they were sufficient for the purpose, which he doubted; and he did not believe Parliament would consent to appropriate funds placed in the hands of the Ecclesiastical Commissioners for the relief of spiritual destitution to put this Bill in working order. He also wished to point out that, although the Bill provided ample means for checking impropriety on the part of the inferior clergy, no provision was made for enforcing the law against Bishops.



THE EARL OF HARROWBY protested against the assumption of the noble Marquess (the Marquess of Salisbury) that the country was growing indifferent on the subject of Ritualism; and he also objected to his speaking of Ritualists as "a new party" in the Church. Twenty years ago he would not have been understood; they were a growth of late years, avowedly imitating the practices of another Church, and he could not admit the description "a new party in the Church." He hoped that some measure of this kind would pass.

THE ARCHBISHOP OF YORK said, the Bill, in accordance with its professed object, would materially shorten the proceedings in the Ecclesiastical Courts, and would confer great benefit not merely upon the Bishops, but upon the members of the Church generally. When the time arrived to consider the details of the measure, the machinery it proposed would require to be somewhat narrowly examined—especially in regard to the financial part, which he believed to be quite unsound. While he admitted that the noble Earl had rendered excellent service in applying a practical remedy for the evil complained of, he must decline to accept all the financial arrangements suggested by his noble Friend.

THE LORD CHANCELLOR observed, that it was only due to the noble Earl to state that Her Majesty's Government were anxious that some measure should pass founded on the same principle as that of the noble Earl's, and that therefore they would support the second reading of this Bill; but, at the same time, they wished to guard themselves against being supposed to accept every part of it as it now stood. For instance, 27 Judges would be an inordinate number, and he trusted that the right rev. Bench would be able to propose some plan to render such a superfluity of strength unnecessary. He also thought that the financial part of the measure required material amendment.

LORD ROMILLY said, he should support the Bill; but he intended to propose certain Amendments in Committee upon the Bill.

THE EARL OF SHAFTESBURY said, he had omitted to state that the Archbishop of Canterbury had authorized him to declare that the measure met with his approval. As to criminous

Bishops, he had omitted them from the Bill in his anxiety to consult the feelings of the right rev. Bench.

Motion agreed to: Bill read 2<sup>a</sup> accordingly.

#### GAS AND WATER FACILITIES BILL.

(The Earl of Kimberley)

(NO. 111.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD REDESDALE said, that when this Bill was introduced he expressed an opinion that its provisions ought to be extended so as to enable the various local authorities to provide for the purchase and erection of gas and waterworks. In many cases the local authorities were anxious to buy up or erect gas and waterworks; and it was desirable that this measure should contain provisions for the purposes of facilitating their action in that direction. He was, however, sorry to find that it was impossible to introduce such provisions into the present measure; but he hoped that the matter would not escape the attention of the noble Earl opposite when the proper opportunity arrived for dealing with the matter.

THE EARL OF KIMBERLEY fully concurred in the observations of the noble Lord, and regretted that such Amendments as he referred to could not be introduced into the measure.

House in Committee: Amendments made: The Report thereof to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 222.)

#### MARRIED WOMEN'S PROPERTY BILL.

(The Lord Cairns.)

(NO. 216.) REPORT OF AMENDMENTS.

Amendments reported (according to Order).

LORD BROUGHAM said, that the Bill entirely excluded from its operation the savings of single women acquired before the passing of the Act. He therefore begged to propose the following Amendment:—In Clause 1, page 1, line 7, after the word "earnings," leave out "married," and in line 8 leave out "after the passing of this Act." This Amendment would apply to the earnings of a poor woman, no matter at what time she had acquired them. But in order to prevent

the objection that the introduction of these words would give the Bill a retrospective action, he further proposed to insert the following Proviso :—

“ Provided always, That this Act shall not apply to any wages earned before the passing of this Act by any woman married before the passing of this Act.”

LORD CAIRNS said, that the object of the noble Lord was to protect the earnings of unmarried women; but the Amendment went directly contrary to the spirit in which the Bill was framed. For the first time the Amendment would create a new kind of property, dependent upon the fact that it was earned; and, if it were adopted, it would be necessary to trace to its origin every sum of money or portion of property possessed by a woman before her marriage. A woman's earnings were her own, and she could do with them as she pleased on the occasion of her marriage. If they proceeded to draw any distinction on this point, they must either say in comprehensive terms that all the property of an unmarried woman should be her own after marriage, or they must give the amplest powers to a married woman, even without asking the consent of her husband, to do with her property as she pleased. With the view of meeting an objection urged by his noble Friend (the Earl of Shaftesbury) on a former occasion, he proposed to introduce in the 11th clause an Amendment which would enable a man and woman, on their marriage, to agree as to what chattels should be considered the separate property of the woman. This might be done by a few lines on the back of the marriage lines, or on any other piece of paper.

Clause 7 (Personal property coming to a married woman to be her own).

LORD ROMILLY proposed, after the word “intestate,” to insert the words “or to any sum of money not exceeding £200, under any deed or will.”

LORD CAIRNS said, that having regard to the provisions of other clauses, as well as those of Clause 7, he thought the words proposed by his noble and learned Friend were unnecessary.

On Question? their Lordships divided:—Contents 29; Not-Contents 17: Majority, 12.

Amendment agreed to.

Bill to be read 3<sup>a</sup> To-morrow; and to be printed, as amended. (No. 223.)

Lord Brougham

# JUDICIAL COMMITTEE BILL—(No. 212.)

(The Lord Chancellor.)

## COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD ROMILLY said, he regretted to be obliged to make a few observations on the measure, which he thought was spoilt from mere parsimony. It was the special duty of the State to provide proper Judges for the trial of causes, and they could never secure proper respect for the Judicial Committee of Privy Council unless they had persons sitting on it who earned that respect from the public, and they could not obtain the services of such persons unless they chose to pay them. He felt very strongly on that subject, because it was one of the reproaches of this country that it made a profit out of litigation—that it made a considerable profit out of the misfortunes of persons who were compelled to go to law—which was just as monstrous in principle as if they were to tax, for the support of the police, every man who had his pocket picked or his house broken into. If any of their Lordships would take the opportunity of reading a little tract by Jeremy Bentham, entitled, *A Protest against Law Taxes*, he should be very much surprised if it did not convince them of the iniquity of a tax upon persons who went to law. He firmly believed that the noble Duke who presided with great ability and zeal over the Indian Department (the Duke of Argyll) was fully determined and very anxious to make the best provision he possibly could for the due administration of the law in India; but this was not the way to accomplish it. On a recent occasion when that subject was before their Lordships, he (Lord Romilly) had ventured to point out that there were two things which ought to be done for this purpose: the one was to improve the legal tribunals in India, and the other was to improve the Court of Appeal at home. The number of appeals from the local tribunals of India to Calcutta reached every year, he believed, about 7,000. It was impossible that the Judges there could hear all those cases, and a greater staff of Judges was absolutely necessary to dispose of them. It was one of the consequences, and also a gratifying consequence, of the good government of India that we



had an enormous amount of litigation among its people, because they would not go to law as they did unless they expected to get justice. The increase of legal proceedings in India showed the necessity of providing good Judges there. Now, in order to meet that necessity the position of the Judges must be raised. Then, again, great care should be taken not only that their ultimate tribunal should be able to dispose of the cases which came before it, but that the men they obtained to serve on that tribunal should be such as would inspire confidence among the public and the profession both at home and abroad. To suppose, however, that they could get such men for £500 a year, even in addition to a retiring pension, was, in his opinion, perfectly ridiculous; and, again, the idea that they could secure them for £2,500 was, in his view, equally absurd. They must always bear in mind the great increase in the price of all commodities which had occurred of late years, together with the great increase which had occurred in the remuneration obtained by lawyers. That fact ought not to be lost sight of when they were attempting to fix the salary to be given to a Judge. If, therefore, the proposal contained in that Bill were not altered, he ventured to predict that their Judicial Committee of the Privy Council would not rise in the public estimation, and would not satisfy the people either at home or abroad.

LORD DENMAN objected to the amounts which it was proposed to pay to those who were to be appointed to clear off the arrears of business before the Judicial Committee; for it was not for their Lordships to determine that matter, and in 1831 the Bankruptcy Bill left the House of Lords without any retiring pension being proposed for the Lord Chancellor; but in the House of Commons £6,000 a year was proposed, and the clause was withdrawn, as well as all retiring pensions for the new Commissioners in Bankruptcy, and he believed they might trust to the generosity of hon. Members in "another place" for requiting even those who for years had diminished the arrears in the Privy Council; and if the retiring pensions of those colonial Chief Justices were insufficient, on their declaring that fact, he would act as in the case of retired Ministers, and he had no doubt that

the other House would allow full remuneration from the Consolidated Fund for those who had zealously served their country.

LORD CAIRNS said, there was not much use in discussing clauses relating to sums which must be paid out of the Consolidated Fund, as they would have to be struck out before they left that House; but he thought all objections of that kind would be met if the Bill were made a temporary Bill, intended to meet a temporary crisis, which he hoped would not occur again. He would, therefore, suggest the adoption of a clause limiting the operation of the Bill to two years, during which time the arrears of business could be cleared off. He hoped their Lordships would reject the proposition that colonial Chief Justices should be eligible to be members of the Judicial Committee. He thought that no retired Judge should be eligible except the Chief Justice of Bengal. As to the proposition for appointing barristers of 15 years' standing, he would ask his noble and learned Friend if he thought it likely he could obtain the services of such men as were required for this office? It was hopeless to expect that the services of barristers of experience and ability could be secured for £2,500 per annum; or, if they could, the judicial salaries paid in this country ought at once to be reduced by one-half. He was also of opinion that the proposed addition to certain salaries would destroy the present system of voluntary service.

THE LORD CHANCELLOR said, he agreed with what the noble and learned Lord (Lord Romilly) had said as to the impropriety of paying the expenses of a tribunal by levying fees upon the suitors; but that had no relation to this Bill, for there were no fees provided for in it. As regarded the question whether or not the tribunal could be respected unless its members were highly paid, he begged to remind his noble and learned Friend, that the present tribunal, consisting of several unpaid members, had existed for 35 years, and none was more respected. Of course, at times, and especially when it had had to deal with controverted topics of religion, its decisions had been assailed; but, in regard to legal matters, it always had been, and was unassailable. He would also remind the House that the Judge who did most to raise the tribunal to its great emi-

nence was the late Lord Kingsdown, whose services were wholly voluntary. As to the observations of the noble and learned Lord (Lord Cairns), there was no objection to making this a temporary measure if it were secured that those who were appointed under it should not be turned adrift at the end of three years, for if that were likely no one would be willing to accept the appointments. As to the proposed payments not being sufficient to insure the services of men who were qualified to take part in the hearing of cases which came before the Judicial Committee, that must be a matter of opinion; and although he had not made any proposition to persons likely to act—for to do so would be indecent and improper—yet statements had incidentally been made to him which rendered him confident that an effective tribunal could be secured by means of this Bill.

House in Committee.

An Amendment made, in page 2, line 1 and line 14, leave out ("Judge,") and insert ("Chief Justice").

Then it was moved, after Clause 6, to insert the following clause:—

"Any Privy Councillor having held the office of Lord Chancellor of Ireland shall be a member of the Judicial Committee."

Amendment agreed to.

The Report thereof to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 224.)

UNIVERSITY TESTS BILL—(No. 182.)

(*The Marquess of Salisbury.*)

SELECT COMMITTEE NOMINATED.

THE MARQUESS OF SALISBURY *moved* that the Lords following should be named of the Committee on the University Tests Bill, namely—Abp. York, Ld. President, D. Somerset, D. Marlborough, M. Salisbury, E. Cowper, E. Stanhope, E. Carnarvon, E. Powis, E. Harrowby, E. Morley, E. Beauchamp, Bp. Gloucester and Bristol, L. Colchester, L. Stanley of Alderley, L. Lyveden, L. Houghton.

EARL GRANVILLE: I must draw attention to the awkward position in which the House is placed in regard to this very important question. The other day, after the debate on the Order for the Second Reading, the Bill was not rejected, but a Select Committee was ap-

*The Lord Chancellor*

pointed, at the instigation of the noble Marquess (the Marquess of Salisbury), to consider its provisions. The debate itself was of a rather extraordinary character. My noble Friend the Lord President of the Council moved the second reading on the part of the Government in a speech of great ability. That was answered by the speech of the noble Marquess, which also displayed great ability; but which was not so much directed to the value of a Committee of Inquiry as against the Bill, and, indeed, against any measure of the sort. After that the debate was carried on almost, if not quite, exclusively by the Episcopal Bench. Different opinions were expressed by occupants of that Bench; but the Archbishop of York and another right rev. Prelate made two remarkable speeches in favour of the Bill; but not one of the majority answered those two speeches. After a brief reply from my noble Friend, the House went to a Division. A week has now elapsed, and I shall be obliged to the noble Marquess if he will inform the House what course he intends to pursue with regard to his Committee. The Bill is still on your Lordships' Minutes, waiting for a second reading. I think it is a most undesirable way of destroying a measure to refer it to a Select Committee, while it is not intended practically to deal with it. If this House desires to destroy a Bill which is regarded with favour by the country generally, it ought thoroughly to discuss it and to adduce reasons and arguments which have not yet been received into the minds of the public. Late in the Session as it is, I do not know whether the noble Marquess means to work the Committee in such a manner that there may be a chance of taking up the Bill again this year, and it certainly is very important that your Lordships should know what is intended to be done. I am told this evening that there were Peers who voted for the Committee not so much from a desire to upset the Bill, as because they thought there was no reasonable objection to inquire into the practicability of introducing modifications into it. I wish, therefore, to learn from the noble Marquess what his intentions are with regard to this Committee.

THE MARQUESS OF SALISBURY: The first point referred to by the noble Earl (Earl Granville) is the character of the



debate on the Order for Second Reading. His complaint is that the debate was not sufficiently general, and that more noble Lords on this side of the House did not speak. The answer to that is a very prosaic and a very simple one—it is that the dinner-hour was approaching; and when the time arrives the Members of both Houses of Parliament give way to the not unnatural desire to partake some refreshment, and as they leave the House for that purpose, it is sometimes difficult to keep up the debate. With respect to the forms of the House I understand that a Motion such as I moved on the second reading of the Bill is, according to precedents, a mode of deciding that the House will not proceed with the Bill for the present, but will adopt another course. Last year, for instance, Lord Grey brought in a Bill on the subject of the Scotch Peerage, and it was met in the same way. We on this side of the House were not prepared to say that the principle of the measure was absolutely objectionable, but we were not prepared to adopt its principle without inquiry, and the consequence was that a Committee was appointed as an Amendment to the Motion for the second reading, and the Bill disposed of for that year.

THE DUKE OF ARGYLL: The Committee never met in that case.

THE MARQUESS OF SALISBURY: I am nearly sure that it sat. At all events, I remember a still stronger case in the House of Commons, where the Motion for the second reading of the Conspiracy Bill was met by a Resolution, and not by a direct Motion that the Bill should be read a second time that day six months. The noble Earl (Earl Granville) wishes to know what course it is proposed that the Committee should adopt. What I should prefer, if the forms of Parliament would permit, is that the inquiry should take place, and that the Bill should not die, but that, as soon as they have obtained all the information they require, the Bill should be taken up at the point at which it was dropped. The rules of Parliament, however, require that all Bills which are not completed at the time of Prorogation shall die at that period, and as that is near I do not think it probable that the University Tests Bill will be proceeded with this year. However desirous your Lordships may be to suggest another course,

it is in my opinion impossible to do anything decisive in the matter until we have on record the information which we deem it necessary to have. I am extremely sorry that I failed to convince the noble Earl by the arguments I used in reference to this question. I can only say that, as far as my poor powers went, I did my best to do so. As far as I am able to remember, my arguments were directed, or they were intended to be directed not against the principle of the Bill, but to the necessity for moving cautiously. What I attempted to show was that the very constitution of the Colleges was such that, unless you provide a guarantee for the orthodoxy of those who are taught, it is difficult to go on trusting for the selection of the teachers to precisely the same conditions as are in force now; and I maintained it was necessary to examine into the conditions under which the Tutors and Professors in the University were selected, if we intended to make so vital a change as this. On these grounds I proposed an inquiry into the whole subject, with a view of ascertaining whether, upon the evidence before them, the Committee would be justified in recommending legislation in this direction; and, if so, there can be no doubt that your Lordships would be enabled to legislate more satisfactorily than you could do at present. Such a course, I submit, is a much wiser one than if we were to act in the precipitate manner proposed by the noble Earl. I propose, therefore, to prosecute the inquiry with as much speed as possible, and when the evidence has been gathered and the Committee is able to report, I have no doubt we shall be able to make recommendations which will carry out the object in view in a manner far more satisfactory than that provided in the Bill.

EARL GRANVILLE: As I understand the noble Marquess, it was the intention of his Motion to destroy this Bill for the present year; and the real object of the Committee is to see whether tests cannot be applied to teaching members of the Universities, although both Universities are at present entirely free from any such restriction.

THE MARQUESS OF SALISBURY: I had no intention of the kind. I never said anything about applying tests to teachers. I spoke of the mode in which their religious character might be in-

sured. There are several points in College arrangements dependent upon this system of tests, and when you remove the system of tests altogether, it will be necessary to inquire whether their place should be supplied, and if so, how?

THE EARL OF KIMBERLEY asked whether the noble Marquess had his witnesses ready?

THE MARQUESS OF SALISBURY said, he had five, and a noble Friend of his had others. He had received many letters on the subject, showing that great anxiety existed in the country touching the Bill.

THE EARL OF CAMPERDOWN asked, whether in case the Committee had not finished its labours at the close of this Session, it was the intention of the noble Marquess to move its re-appointment next year? He remembered the case of a Scotch Bill which had been referred to a Select Committee, which came to an untimely end through the absence of the Chairman, who went off to Scotland, leaving his Committee in doubt when he would return, or whether he would return at all; and he feared this Bill would be wrecked by a similar catastrophe.

THE DUKE OF RICHMOND said, he differed with the noble Earl (the Earl of Camperdown) as to the facts of the case referred to, the Bill in question having been lost from other circumstances than those stated by him. In reference to the University Tests Bill, what his noble Friend (the Marquess of Salisbury) said was to this effect—So far from desiring to put an end to the measure, his noble Friend expressed a wish that the forms of the House would allow both the Bill and the inquiry of the Committee to be proceeded with. And in the event of the Committee reporting in favour of such legislation, that the Bill should be taken up next Session exactly at the same stage at which it was left in this. The object of his noble Friend was simply to acquire information to justify the necessity for legislation on this important and difficult subject. The statement of his noble Friend, that he wished the Bill to be amended in a manner which he pointed out, should be a sufficient indication that he did not wish to destroy the Bill altogether. He (the Duke of Richmond) certainly did not vote with the noble Marquess with that intent, though he was bound to admit that their success postponed the Bill for

*The Marquess of Salisbury*

this Session; his object was to insure that deliberate action which common prudence demanded.

THE EARL OF KIMBERLEY, as a Member of the Scotch Committee referred to, stated that in that case the Committee met, went into certain matters which had nothing to do with the Bill, and on the next day of meeting the Members assembled on a fool's errand, to find the Duke of Buccleuch, who had moved for the Committee, had gone to Scotland, and there was no reason to believe he intended to return.

Motion agreed to; Committee nominated accordingly.

House adjourned at a quarter before Nine o'clock, till To-morrow, a quarter before Five o'clock.

## HOUSE OF COMMONS,

*Thursday, 21st July, 1870.*

MINUTES.] — NEW MEMBER SWORN — Julian Goldsmid, esquire, for Rochester.

SELECT COMMITTEE—*Report*—Steam Boiler Explosions [No. 370]; Pawnbrokers [No. 377].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS — *Ordered — First Reading —* Census (Scotland)\* [234]; Corrupt Practices Acts Amendment\* [235].

*Second Reading*—Matrimonial Causes and Marriage Law (Ireland)\* [223]; Local Government Supplemental (No. 4)\* [226]; Greenwich Hospital\* [229].

*Report of Select Committee*—Factories and Workshops\* [No. 378].

*Committee*—Pedlars' Certificates [199]—R.F.; Sanitary Act (1866) Amendment\* [189]—R.F.

*Committee—Report—Considered as amended*—Sheriffs (Scotland) Act (1853) Amendment, &c.\* [191].

*Report*—Factories and Workshops\* [150-233].

*Considered as amended*—Elementary Education [218]; Army Enlistment [106]; Gun Licences [134].

*Third Reading*—Dublin City Voters Disfranchisement\* [184]; Local Government Supplemental (No. 3)\* [188], and *passed*.

*Withdrawn*—Steam Boilers Inspection\* [58].

## BRITISH RESIDENTS AT BELIZE.

### QUESTION.

MR. CANDLISH said, he wished to ask the Under Secretary of State for the Colonies, if the Colonial Office has received a Copy of any Memorial addressed to Lieutenant Governor Longden by any British residents at Belize, pray-



ing for compensation for losses sustained by the irruption into the Colony of Indians under the command of a General in the Mexican Army; the amount of such claims, and if any determination has been come to thereupon; if any redress has been demanded of the Mexican Authorities; and what steps have been taken to prevent such outrages in the future?

MR. MONSELL, in reply, said: The memorial referred to by the hon. Member has been received. It is signed by 10 inhabitants of the Northern Province of British Honduras. The schedule of the estimated amount of their respective losses is given as nearly £36,000. Those who have embarked capital in British Honduras must always have known what were the risks to be encountered from the Indians, and that any charge which Her Majesty's Government might incur for the protection of the colonists must necessarily bear some moderate proportion to the population of the Colony and the interests requiring to be protected. The revenue, taxation, and expenditure of the Colony have been exclusively under the control of the Assembly. But the Assembly has refused to contribute any sum towards the military expenditure. My answer, then, to my hon. Friend's first Question must be that while Her Majesty's Government are willing to provide for some portion of the military expenditure, they could not propose to supply from Imperial funds compensation for loss of property exposed by its owners to risks to which they must have known it must be subject. As to the second Question, the steps to procure redress are under the consideration of Her Majesty's Government. It is intended to station two companies of a West India Regiment at British Honduras; but the proportion in which the cost of maintaining them is to be divided between the Imperial Government and the Colony has not yet been settled.

#### NAVY—SALE OF STORES AT WOOLWICH DOCKYARD.—QUESTION.

MR. HEYGATE said, he wished to ask the Secretary to the Admiralty, Whether loss has not been incurred by recent sales of Government Stores at the Royal Dockyard, Woolwich; and, in particular, whether, on the 13th June

last, "a self-acting curvilinear saw frame" (the recent cost of which to Her Majesty's Government was over £900) was sold for £70; and, that "two wrought-iron paddle-wheel shafts," weighing over 45 tons (the recent cost of which to Her Majesty's Government was over £500), were sold for £16 each; and, whether it is the intention of Her Majesty's Government to continue such a sale of Government Stores?

MR. BAXTER: Sir, in answer to the Question of the hon. Gentleman, I beg to say that a self-acting curvilinear saw frame, which originally cost about £800, was sold on the 13th of June last, at Woolwich, for £70; but the cost of its removal and re-erection will be at least £60, so that £130 will represent the cost to the purchaser. This machine was erected more than 20 years ago, is quite obsolete, and of a type rarely, if ever, seen out of a Government Yard. It was very doubtful whether anyone would bid for it, and the officers were only too glad to get the £70. Two wrought-iron paddle-wheel shafts, weighing, not 45, but 22 tons, were sold for £16 each. They were returned many years ago from the *Retribution*, and were in such bad condition as to be perfectly useless for any other purpose than as old iron. Considering that all the good machinery had been removed from Woolwich to other yards, and that nothing was sold that was not obsolete and could not be used for the service, very excellent prices were obtained at the public sale there; prices, in fact, on the whole, greatly above the valuation, and which surprised both the auctioneer and the superintending Government officials. I may add that we have been equally fortunate at the sales at Deptford and Devonport, all the auctions having been largely attended, and the stores sold having brought prices exceeding our most sanguine expectations. In many cases the prime cost was approached, and in some even exceeded. The sum paid into the Exchequer at the close of the financial year I expect to be very large, and as everything has been retained which the officers reported might by any possibility be required for the public service, I feel confident that the House will be of opinion that a wise course has been followed.

## NAVY—NEW IRON-CLADS.—QUESTION.

MR. LAIRD said, he would beg to ask the First Lord of the Admiralty, Whether, in order to test by actual experiment at sea, the many novelties in the construction and also in the mode of arranging and placing the armament of the four new iron-clad ships of the "Vanguard" class, viz., "Vanguard," "Invincible," "Audacious," and "Iron Duke," it is his intention to send any of these vessels to sea on a trial cruise, or on the next cruise of the Channel Fleet?

MR. CHILDERS: Although I am sure, Sir, that the hon. Gentleman would not generally ask me what particular ships will be put in commission, I appreciate the object of his Question, and I beg to inform him that one of those vessels will be put in commission shortly.

## VACANT JUDGESHIP IN CHANCERY.

## QUESTION.

MR. G. B. GREGORY said, he would beg to ask, Whether it is intended to complete the Court of Appeal in Chancery by filling up the vacancy caused by the death of Lord Justice Giffard, by whose death the country had sustained a great loss?

MR. GLADSTONE: Sir, I join in the sentiment expressed by the hon. Gentleman as to the nature of the loss which the country has sustained by the death of Lord Justice Giffard, and it is the intention of the Government to fill up the vacancy which has thus occurred.

## INDIA—OLD BANK OF BOMBAY.

## QUESTION.

MR. DYCE NICOL said, he wished to ask the Under Secretary of State for India, Whether the Indian Government intends to take action upon the Report of the Commissioners' Inquiry into the causes of the failure of the Old Bank of Bombay; and, with reference to the speech on the 27th March 1868 of the then Secretary of State for India, to ask the Under Secretary of State if he will now produce the Minutes recorded by Members of the Council of India relative to the failure of the Old Bank of Bombay?

MR. GRANT DUFF: Sir, my hon. Friend's principal Question appears to point to two kinds of action on the part

of the Government—first, as to its policy with regard to the Presidency Banks; and, secondly, as to its policy with regard to the misconduct of certain persons connected with the Old Bank of Bombay. As to the first of these kinds of action, I explained the policy of the Government in answer to a Question of my right hon. Friend the Member for North Devon (Sir Stafford Northcote), on the 17th of February last, and I can only repeat what I then said, namely—

"The question for the Government now to consider is whether it should not withdraw from its position as a shareholder in the Presidency Banks, and we have asked the opinion of the Government of India on the whole matter, and especially as to the way in which it thinks our withdrawal could be effected with most advantage to the public and with least inconvenience to our fellow shareholders."—[3 *Hansard*, cxcix., 428.]

As to the second kind of action, I regret that we have not seen, and do not see, our way to taking effective legal proceedings even against the persons most implicated in the unhappy transactions which led to the fall of the Old Bank of Bombay. We shall not oppose my hon. Friend if he thinks fit to move for the Papers about which he asks.

## VENEZUELA—PRUSSIAN CLAIMS.

## QUESTION.

MR. EASTWICK said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is true that a Prussian Man of War has lately visited La Guayana, and that in consequence of that visit, or subsequent to it, the Government of Venezuela have paid Prussian claims to the amount of about 50,000 dollars; and, further, whether information has been received at the Foreign Office that the United States Government are about to send ships of war to La Guayana to enforce the claims of American subjects?

MR. OTWAY said, in reply, that no information had been received at the Foreign Office that the Government of Venezuela had paid money over to the Prussian Government on account of certain claims, and he must observe to his hon. Friend that the Prussian Government was not in this respect a creditor of Venezuela. If there were any claims of that character against Venezuela it was on account of the detention of certain vessels; and information had been received from the Acting *Chargé d'Affaires*



at La Guaiaca that three vessels of the Germanic Confederation had visited that port, but no official account had been received of the payment of the sum in question. As to the United States Government, it appeared that Mr. Fish had complained of the unpunctuality of Venezuela in paying her claims; had expressed the intention to insist on the fulfilment of her engagements, and had intimated that unless this was done the Governments concerned might think it advisable to send a few ships of war to La Guaiaca in order to show Venezuela that her engagements were not to be trifled with.

SIR JOHN PAKINGTON said, he wished to ask whether any steps were being taken by the Government to procure the payment of the large sum of money due from Venezuela to persons in this Country?

MR. OTWAY, in reply, said, the Government were taking all possible steps for the satisfaction of all such claims as they believed to be really due.

#### SPAIN—CHOICE OF A KING—PRINCE LEOPOLD OF HOHENZOLLERN.

##### QUESTIONS. OBSERVATIONS.

MR. HORSMAN: It is necessary, Sir, that I should preface the Question which I have placed on the Notice Paper with a short explanatory statement, in order to make the Questions clear and intelligible; and, I may add, that I should not have put the Questions on the Notice Paper without having previously shown them to the right hon. Gentleman at the head of the Government, who said there was no objection to their being put. The first Question has reference to the negotiations which led to the withdrawal of Prince Hohenzollern's nomination for the Crown of Spain. It is understood that the King of Prussia made that concession to France very reluctantly, under the advice of other Powers, and that one of those Powers was England—the advice being given, with the sanction and concurrence of France—avowedly in the interest of peace. ["Order!"] I am not going to say one word not strictly within the rules of the House. That object—the preservation of peace—not having been obtained, Prussia, if that nomination had not been withdrawn, and if it had been a cause of war between Prussia and France, would then have been in the

position of having Spain for an ally; but now having made the concession of withdrawing the nomination of Prince Hohenzollern, and not having obtained the object of the concession—["Order!"]—I only wish to finish the sentence, and then my explanation will be at an end. I repeat that Prussia, not having obtained the object in view, by the withdrawal of the nomination of Prince Hohenzollern, the interposition of the other Powers had only operated as a cause of weakness to Prussia, inasmuch as it had deprived her of a sure ally. The first Question, then, I wish to put to my right hon. Friend at the head of the Government is, Whether the withdrawal of the nomination of Prince Hohenzollern was advised by England, and conceded by Prussia in the full expectation that by that concession France would be satisfied and war averted; and the second Question is one which in itself requires no explanatory statement. Intelligence has reached this country that within the last few days the Russian Government have communicated to France their disapproval of the declaration of war, and that in the event of war their sympathies will remain on the side of Prussia. ["Order, order!"] What I want to know is, whether any such communication has been sent by the Russian Government to the Government of France, and, if so, whether it was accompanied by an expression of opinion that the determination on the part of France to proceed to war after France had accepted the good offices of other Powers, and Prussia had made the concession recommended by those Powers, was a departure from the general understanding by which the Emperor of the French ought in honour and good faith to have considered himself bound?

MR. A. SEYMOUR said, he would also beg to ask the First Lord of the Treasury, If the Government have any information, other than that furnished by the newspapers, of the existence of a secret Treaty between France and Denmark; and if at any time within the last six months, they are aware that any formal proposal of mutual disarmament has been made by France to Prussia and refused by the latter Power, as stated by certain French and English journals?

MR. GLADSTONE: Sir, the right hon. Gentleman the Member for Liskeard was kind enough to show me in

manuscript the Questions which he put on the Notice Paper, and I stated that I thought he might, according to his discretion, put them, and I would give the best answer I could; but the right hon. Gentleman did not mention to me that it was his intention to preface them.

MR. HORSMAN said, that he made the statement to explain the Questions.

MR. GLADSTONE: What I said was that the right hon. Gentleman did not mention his intention to preface his Questions by an explanation in the House to which I now refer; because, though it is, indeed, no part of my duty to refer to the explanation, yet, at the same time, the House could not expect that I should pass it over in silence. With respect to the Questions put on the Notice Paper by the right hon. Gentleman, the first is an inquiry as to the expectations by which the King of Prussia was induced to advise the withdrawal of the Prince of Hohenzollern's nomination for the Crown of Spain. Having considered that Question, I come to the conclusion that we have no knowledge ourselves of the degree in which the right hon. Gentleman's words would be borne out that the King of Prussia was induced to withdraw the nomination of the Prince, nor have we any precise knowledge of the expectations by which the King of Prussia was induced to act as he has done beyond that which is supplied by the Papers to be laid upon the Table of the House to-morrow. My right hon. Friend will then be able to judge whether the answer now given on the part of the Government is a just and reasonable one. With regard to the second Question, relating to the Governments of Russia and Austria, I do not think that we have precise official information of every step taken up to the latest moment by the Governments of Russia and Austria. We have sufficient information to be justified in believing that both those Powers used their best efforts, not only with one but with both the parties to the present unhappy war, in the interest of peace. Then, with regard to the Question of the hon. Member for Salisbury (Mr. A. Seymour), as to whether the Government had any information other than that furnished by the newspapers of the existence of a secret Treaty between France and Denmark, and whether, within the last six months, we are aware that any formal proposal of dis-

armament has been made by France to Prussia, and refused by the latter Power, as stated by certain French and English journals, I have to say that we have no information whatever on the subject of a secret Treaty between France and Denmark, and have not the slightest reason to believe in the existence of any such Treaty. All the information we have would go to disprove its existence, so far as we are justified in forming a conclusion on the subject. The latter part of the Question I might answer in the briefest terms, for as far as we know no formal representation has been made by France to Prussia for mutual disarmament; but that is not the whole truth, for it is true that communications were carried on through Lord Clarendon with France and Prussia on the subject; but of those communications there was no official record, and as they were carried on confidentially by Lord Clarendon on behalf of both parties, I am disposed to think, even if there had been any official record of them—and in this opinion Lord Granville concurs—that we should not be entitled in courtesy to divulge them.

#### ARMY—DEPUTY COMMISSARY GENERAL LUNDY.—QUESTION.

MR. DEASE said, he would beg to ask the Secretary of State for War, Whether it is his intention to appoint Deputy Commissary General Lundy to be a Deputy Controller over the present Assistant Controllers, whose Commissions in the Control Department are dated the 1st of January 1870; and, if so, whether such a step would not endanger the position of the Assistant Controllers, and be in contravention of Article 12 of the Royal Warrant, dated the 12th of November 1869?

MR. CARDWELL: Sir, on the first formation of the Department, Mr. Lundy was appointed Acting Deputy Controller at Jamaica, to introduce the new system there. As the force in Jamaica is to be reduced, Jamaica will not be a Deputy Controller's station; but upon the occurrence of a suitable vacancy Mr. Lundy's services will be transferred to it, and his acting appointment rendered permanent.

*Mr. Gladstone*



**ARMY—RETIREMENT BY SALE OF COMMISSION, CIRCULAR 220, 1862.—QUESTION.**

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether his attention has been called to the Horse Guards Circular 220, of the 2nd September 1862, by which

“No application from any Officer to retire from the Service by the sale of his Commission is, under any circumstances, to be entertained unless the application be accompanied by a Military Medical Certificate of the state of health of the Officer who desires to retire;”

and, whether he sees any good reason why that Order should not be rescinded, and Officers who have contracted mortal disease in the service of their Country should not be permitted to realize the value of their Commissions for the benefit of their wives and families?

MR. CARDWELL: The object, Sir, of the regulation is to secure to non-purchase officers that they shall not be deprived of the intended number of commissions. In 1867 the attention of my Predecessor was called by Captain Hayter to a case in which it was supposed that a sale had been effected in violation of the rule, and he pledged himself to take steps to prevent in future an arrangement prejudicial to the interest of the non-purchasing officers. I am not prepared to depart from this engagement.

**ARMY—CAPITATION TO VOLUNTEERS. QUESTION.**

MR. ANDERSON said, he would beg to ask the Secretary of State for War, as to his new proposal for Volunteer Capitation Grant, May any eight out of the Officers and non-Commissioned Officers of a Company earn for it £2 10s. each; if more than eight are sufficiently qualified, will no more be given; is the £2 10s. additional to the 20s. or 30s. earned at present; and, in the case of consolidated battalions, say of eight Companies, will it be enough that any sixty-four Officers and non-Commissioned Officers of that battalion so qualify themselves, and may Field Officers be included?

MR. CARDWELL: The eight officers and non-commissioned officers to whom the power of earning an additional £2 10s. for the corps is intended to apply are the captain, lieutenant, ensign, and five sergeants. It is intended to be in addition to the present capitation grant, so that an officer who complies with the conditions may earn £4. I may add

that I have already made arrangements with the Artillery Volunteers for enabling 100 officers and 1,000 privates to go into camp at Shoeburyness, and that I am prepared to consider with the Rifle Volunteers arrangements for enabling a certain number of officers and men of that arm the better to practise in camps.

**ARMY—MILITARY LABOUR—REPORT OF COMMITTEE.—QUESTION.**

MR. HANBURY-TRACY said, he would beg to ask the Secretary of State for War, Whether the Committee which he stated last February had been appointed by His Royal Highness the Commander in Chief, composed of competent Officers, to draw up Regulations for extending the system of “Military Labour to Military Works,” have made any Report; and, if so, if he has any objection to lay it upon the Table of the House?

MR. CARDWELL: Before making their final Report detailed examination has been necessary in the different corps to ascertain the qualifications of the men proposed to be established instructors. It is hoped that, when all the Reports have been received, the Committee will be enabled to recommend a system by which every man in the Army who wishes to work at a trade may obtain employment.

**ARMY—EXAMINATION FOR DIRECT COMMISSIONS BY PURCHASE.****QUESTION.**

SIR PATRICK O'BRIEN said, he would beg to ask the Secretary of State for War, Whether his attention has been directed to the case of several young gentlemen at present on His Royal Highness's the Field Marshal Commanding in Chief's list for direct commissions by purchase, who not having attained the age requisite (17 years) prior to presenting themselves for examination on the 25th instant, are precluded from presenting themselves for examination on that day, and consequently will be prevented from ever hereafter receiving a commission in the Army, as by the Horse Guards rule, when all those who shall have successfully passed the coming examination have received their commissions, the new rule greatly limiting the age of future candidates will come into operation, excluding all now on the list who have not passed on the 25th, and

whether under these exceptional circumstances, the Secretary of State for War will permit such young gentlemen as are now prepared to present themselves for examination, and are at present on His Royal Highness's list, to be examined on the 25th of July, notwithstanding their not having attained the age of 17 years by that day?

MR. CARDWELL: Sir, it is a mistake to say that they are excluded, since the Regulation says—

“Candidates, whose names are on His Royal Highness's list, but who will not be old enough for examination in July next, will remain on the list; but owing to the number who will most probably qualify for commissions, and who will have to be provided for, there will be no further examination for commissions in the cavalry and infantry of the Line for a considerable length of time after July next, before the expiration of which period revised Regulations for examination will be issued.”

How soon there will be another examination will depend on the number who succeed at the first, and on the requirements of the Service. Due consideration will be given to those already on the list, who, in case the absorption goes on rapidly enough to create vacancies, will have the first claim.

SIR PATRICK O'BRIEN said, he would beg to ask, If there would be another examination before the new Rules come into operation?

MR. CARDWELL: The new Rules will come into operation after the examination to be held on the 25th instant.

#### ARMY—STAFF SERGEANTS OF IRISH MILITIA—QUESTION.

LORD CLAUD JOHN HAMILTON said, he would beg to ask the Secretary of State for War, Whether, having regard to the present condition of affairs on the Continent, he does not think it expedient to reconsider his recent order for the reduction of one-half of the Sergeants on the Staff of Irish Militia Regiments?

MR. CARDWELL: No sergeants on the Staff of the Irish Militia regiments have been reduced. What has been done is this—a rule has been laid down that, until there shall be a prospect of calling out the Irish Militia, on vacancies occurring in the permanent Staff for one sergeant in each company, those vacancies shall not be filled up. The answer therefore, is that as soon as there shall

*Sir Patrick O'Brien*

be a prospect of calling out the Irish Militia, the vacancies in question will be filled up.

#### WATER TO ANIMALS IN TRANSIT.

##### QUESTION.

SIR ROBERT ANSTRUTHER said, he wished to ask the Vice-President of the Council, Whether the Privy Council have received any information as to the working of the Order in Council of May last relating to the supply of Water to Animals when in transit by Rail?

MR. W. E. FORSTER: Sir, there are now upwards of 300 railway stations in Great Britain at which water is provided, and many others are having the necessary works constructed, so as to provide a supply. There are other railway stations at which water has not been provided, especially in Scotland. In addition, 271 local authorities have already been invited by a circular sent round by the veterinary department of the Privy Council Office to suggest other stations, and the remaining 132 will be communicated with in the course of a few days. As the matter is one of some interest, I may read an extract from the Report of Professor Simonds, respecting arrangements made by the Great Eastern Railway, dated July 7, 1870—

“With regard to the general question of watering animals, it may be stated that almost every station-master whom I saw during the several days of my inspection spoke of the great advantages of the system and the evident benefit derived by the animals from its adoption. Instead of being restless, as heretofore, when in the pens or the reception yards, many would lie down and quietly rest after having had a supply of water. It was further remarked that dealers and persons who had opposed the introduction of the system had now become its advocates, from having had practical proof of its benefits.”

#### NEUTRAL CONDITION OF LUXEMBOURG.—QUESTION.

SIR HENRY LYTTON BULWER said, he would beg to ask the First Lord of the Treasury, Whether he has received satisfactory assurances from the Governments of France and Prussia relative to their respecting the neutral condition of Luxembourg? He hoped he might be allowed to state, in explanation of his Question, that with respect to the conditions on which the neutrality of Belgium and the neutrality of Luxembourg reposed there was a certain difference. He could have no doubt as to



the position in which we stood with respect to Belgium, because each Power had entered into a separate individual Treaty, binding itself to guarantee Belgium's neutrality, so that if one, two, three, or more Powers failed in their duty the other Powers would still be as imperatively bound in honour to do theirs. But that with respect to Luxembourg the Treaty entered into was a collective one. It bound all the parties who signed it; but Lord Stanley stated at the time that if any of these parties violated this joint obligation the question might then arise as to whether its full responsibility would fall on the remaining ones. He did not agree with this view; still it made it very important to know whether Prussia and France, in the present condition of affairs, had declared they would abide by their collective engagement.

MR. HEYGATE asked a similar Question in regard to Belgium.

MR. GLADSTONE: I will answer the Question put to me by my right hon. Friend, but I think the House will agree with me that it is not desirable I should refer to the statement he has made. I should wish, deliberately and advisedly, not to make myself a party to any difference that may arise. But with respect to his Questions I hope the answer I have to give will be satisfactory. I will at the same time answer the Question of the hon. Gentleman opposite (Mr. Heygate). There is another country which, though not the subject of European guarantee like Belgium, must necessarily be the subject of very great interest—I mean Holland—and I may state that we have received assurances which are satisfactory in the fullest sense of the word with regard to Luxembourg, Belgium, and Holland. Both the parties to the war have expressed their earnest desire and full intention to respect their neutrality—it being always understood, necessarily and justly, that a country like Belgium is disposed to assert and maintain its neutrality, and that it has not been violated by the other belligerent. It is but fair that I should state that, because I must not give the answer broader than it really is; but I am bound to say it is as broad, full, and satisfactory as could be expected.

#### FRANCE AND PRUSSIA—NEUTRAL VESSELS.—QUESTION.

MR. GOURLEY said, he would beg to ask the First Lord of the Treasury, If Neutral Vessels will be interrupted in their trade with France and the North German Confederation; if so, what time will be granted for sailing to and from belligerent ports; within what distance of British and Colonial Coasts and Harbours capture or seizure by either of the belligerent Powers will be considered legal; and, if it is intended to define what Merchandize is contraband of war, in order thereby to avoid many of the complications which arose during the American Civil War; and, if Coal conveyed to non-blockaded ports will be legal traffic?

MR. GLADSTONE: Sir, the Questions on the Notice Paper which have been put by my hon. Friend, and two other Questions of which he has given me private Notice, are of very great importance; and I must ask permission to preface my replies with two observations. In the first place, without in the slightest degree finding fault with my hon. Friend in putting his Questions, I must venture generally to express a hope that as far as possible, and for the better security of those who are interested in mercantile transactions affected directly by the war, it is advisable that they should depend on written rather than spoken answers—a written answer being always in their hands for reference and guidance. The other remark I have to make is this—that my hon. Friend will recollect that I cannot pretend to speak with any authority for the conduct or views or intentions of any Government except our own; and with regard to the views this Government take of points of law arising in connection with the position and duties of Neutrals, they must never be understood to lay down rules of law as binding on other Powers, or undertake to speak for other Powers. The first Question of my hon. Friend is—

“If Neutral Vessels will be interrupted in their trade with France and the North German Confederation; if so, what time will be granted for sailing to and from belligerent ports?”

Upon that subject I do not know that the information in our possession is absolute and final. It has come in two documents by telegram, which, if he pleases, I will read in the terms in which I received them. Of course, they are of the

same authority as if they had been received by despatch. I have no reason to doubt them—

“Paris, July 21, 10 a.m.”

“The following, dated yesterday, appears in the official part of the *Journal Officiel* of to-day:—  
‘With regard to the enemy’s merchant vessels which are now in the ports of the Empire, or which may enter them in ignorance of the state of war, His Majesty has been pleased to order that they should be allowed a period of 30 days to quit those ports. Safe conducts will be given to them to enable them to enter freely the ports to which they belong (*ports d’attache*) or to sail direct to their port of destination. Vessels which shall have shipped cargoes for French ports and on French account in the ports of the enemy or of neutrals previous to the declaration of war are not subject to capture. They may freely discharge their cargoes in the ports of the Empire, and receive safe conducts to return to the ports to which they belong (*ports d’attache*).’”

That is on the part of France. This is a telegraphic despatch that relates to the other party to the war—

“Ministry of Commerce, Trade, and Public Works.

“Official Telegraphic Despatch.

“The Ministry of Commerce to the Presidents of Königsberg, Stettin, Hanover, and Kiel.

“The Federal Council has decided that in the event of the outbreak of war with France, French merchant vessels which may happen to be in German ports at the commencement of the war, or which may enter such ports before they shall have been informed of the outbreak of war, will be permitted to remain in the ports in which they may find themselves for a period of six weeks, reckoned from the day of the outbreak of war, and to take in or discharge their cargoes as the case may be.”

That is all the information which is in our actual possession; but I do not doubt that the proceedings of these two great, powerful, and highly civilized States with reference to Neutrals and the transactions of commerce will be directed by liberal principles. With respect to the next Question—

“Within what distance of British and Colonial Coasts and Harbours capture or seizure by either of the belligerent Powers will be considered legal?”

I presume that the three-mile limit is that which will be applicable to the decision of these questions; but I believe the right in all cases of decision is with the Prize Court of the capturing Power. My hon. Friend next asks—

“Whether it is intended to define what Merchandize is contraband of war, in order thereby to avoid many of the complications which arose during the American Civil War; and if Coal conveyed to non-blockaded ports will be legal traffic?”

Mr. Gladstone

In answer to the first part of that Question, I have to say that it is not intended on the part of Her Majesty’s Government to define what merchandize is contraband of war. As far as I can answer that would be a task too difficult to undertake by any general definition. There are some articles which from their character are easily pronounced to be contraband of war, but there are others which, though of vital importance in carrying on belligerent operations, can only have their character defined by the circumstances of the case. But it may be as well that I should read to the House a Letter that was written from the Foreign Office by the direction of Lord Malmesbury on the 18th of May 1859. It contains the view which Her Majesty’s Government of that day held, and that view we have seen no reason to change, especially as far as it relates to the subject of coal. The letter is addressed to Messrs. Smith and Gregory, and is as follows—

“Foreign Office, May 18, 1859.

“Gentlemen,—I am directed by the Earl of Malmesbury to acknowledge the receipt of your letter of the 18th inst., requesting to be informed whether, under the Proclamation lately issued by Her Majesty, there is any restriction to British ships loading coals and proceeding therewith to French ports, and I am to state to you, in reply, that Her Majesty’s Proclamation does not specify, and could not properly specify, what articles are or are not contraband of war, and that the passages therein referring to contraband are intended not to prohibit the exportation of coal or any other article, but to warn Her Majesty’s subjects that if they do carry, for the use of one belligerent, articles which are contraband of war, and their property be captured by another belligerent, Her Majesty’s Government will not undertake to interfere in their favour against such capture or its consequences. I am to add that the Prize Court of the captor is the competent tribunal to decide whether coal is or is not contraband of war, and that it is obviously impossible for the Government of Her Majesty, as a neutral Sovereign, to anticipate the result of such decision. It appears, however, to Her Majesty’s Government, that, having regard to the present state of naval armaments, coal may in many cases be rightly held to be contraband of war, and, therefore, that all who engage in this traffic must do so at a risk from which Her Majesty’s Government cannot relieve them.

“Messrs. Smith and Gregory.”

I have also been asked whether the Proclamation of Neutrality issued by Her Majesty’s Government is based upon law, or whether it is merely intended to act as a guide to Her Majesty’s subjects. As far as I am aware, the Proclamation is strictly based upon law, and quotes, as my hon. Friend will see,



the provisions of the Foreign Enlistment Act. It is possible, if the foreign enlistment be extended, though I will not say whether it will be necessary, that the provisions of that Act may be embodied in a separate Proclamation.

#### ARMY—MILITARY SURGEONS AT FRENCH AND PRUSSIAN HEAD QUARTERS.

##### QUESTION.

MAJOR ANSON said, he would beg to ask the Secretary of State for War, Whether he intends to request permission for a British Military Surgeon of experience to be attached to the head quarters of the French and Prussian Armies for the purpose of studying and reporting upon the effects of the more recent inventions of modern warfare, and the most approved methods of transporting sick and wounded Men during rapid movements of Troops? He would also beg to ask whether the statement in the leading article of *The Times* that morning was correct, that Her Majesty's Government had refused permission to Officers on half or on full pay to proceed to the seat of war; and, if so, what were the reasons that had led to that decision?

MR. CARDWELL: Sir, the Director General of the Army Medical Department has called my attention to the importance of the measure suggested by my hon. and gallant Friend, and I will endeavour to carry it into effect. In answer to the second Question, I have to say that, in laying down as a general rule that such permission should not be given, I believe Her Majesty's Government have pursued the course adopted on former occasions. I am aware that, in former cases, exceptions have been made; but, in the present instance, Her Majesty's Government have thought it right to adhere to the general rule, and have not felt themselves at liberty to make any exception.

#### MR. LAYARD AND THE PRINCE OF HOHENZOLLERN.—QUESTION.

MR. RYLANDS said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there is any foundation for a statement which appeared in the "Daily News" of Tuesday last, to the effect that Mr. Layard was

aware of the candidature of Prince Leopold of Hohenzollern, and spoke to M. Mercier on the subject before the action of the French Government in the matter, but did not communicate this important information to the Foreign Office until it had learnt it from other quarters?

MR. OTWAY replied that the first official notification of the candidature of Prince Leopold of Hohenzollern that came from Mr. Layard was on the 9th instant; but the candidature had been a matter of notoriety before. He might state that on the 11th of May Mr. Layard, in a despatch, spoke of the probable candidature of a German Prince, and stated what he thought would be its effect upon the relations between France and Spain.

#### EXPORTATION OF HORSES.

##### QUESTION.

MAJOR DICKSON said, he would beg to ask the First Lord of the Treasury, Whether the attention of Her Majesty's Government has been called to the number of Horses which are being purchased in this Country by Foreign Agents and being shipped to the Continent; and, whether it is intended to put a stop to this export?

MR. GLADSTONE: We have heard, Sir, that there is at present a considerable export of horses going on. That export, I believe, is much more brisk at this than at other seasons of the year. It may possibly be more brisk now than it would usually be at this season; but we do not see any reason, under the circumstances, for any interference.

#### RICHMOND PARK.—QUESTION.

SIR EDWARD BULLER said, he wished to ask the First Commissioner of Works, Whether there is any sufficient reason for closing the gates of Richmond Park at so early an hour as nine o'clock?

MR. AYRTON replied that the authority to determine when the gates were to be opened or closed was exercised by His Royal Highness the Ranger, and he (Mr. Ayrton) had no right to interfere. If the inhabitants of the neighbourhood felt aggrieved, the best course

would be to present a notification of their views and wishes to His Royal Highness, who, no doubt, would give them proper consideration.

PARLIAMENT—BUSINESS OF THE HOUSE.—BILLS AFFECTING THE CLERGY.—QUESTION.

MR. HENLEY said, he would beg to ask the hon. Member for South-west Lancashire, Whether he intends to proceed with the Sequestration Bill to-night? He also wished to ask Her Majesty's Government whether, in the present exhausted state of the House and of the Session, they will not consider whether it may not be well to postpone to next Session many of those Bills affecting the Clergy, some of which were printed and some not?

MR. ASSHETON CROSS said, in reply, that if the Sequestration Bill had been brought down to this House in the state in which it had been originally introduced to the notice of Parliament, it would not have been in his hands; but, as he understood that the objectionable features of the Bill had been removed, he had taken charge of it. Having, at the request of the Solicitor General, hitherto postponed taking the Bill, he would like to put it down for Monday, and then he would state what course he would take.

SIR GEORGE GREY said, he wished to ask, with regard to two of the Bills to which the right hon. Member for Oxfordshire (Mr. Henley) had referred, the Union of Benefices Bill and the Resignation of Benefices Bill, whether Her Majesty's Government, in deference to an opinion generally entertained in the House, does not think it would be expedient, after communicating with the promoters of the Bills, to state on Monday next that they would consent to postpone them to another Session?

MR. BRUCE: I hope on Monday next to be able to give the answer required.

STRANGERS ORDERED TO WITHDRAW.

MR. HENLEY, addressing Mr. Speaker, said, he saw Strangers present.

Whereupon Mr. SPEAKER ordered Strangers to withdraw.

*Mr. Ayrton*

ELEMENTARY EDUCATION BILL.

—[BILL 218.]—CONSIDERATION.

(*Mr. W. E. Forster, Mr. Secretary Bruce.*)

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment [19th July] proposed to be made on Consideration of the Elementary Education Bill, as amended in the Committee, and which Amendment was,

To insert in the Second Schedule, page 37, line 10, after the words "provided that any poll shall be taken by ballot," the words "in accordance with the principles upon which a poll is taken under 'The Metropolis Management Act, 1855.'"

—(*Mr. William Edward Forster.*)

Question again proposed, "That those words be there inserted."

Debate resumed.

SIR CHARLES W. DILKE defended himself against any imputation that he wished to impede the progress of the Bill, and said that the proposal of the Government would give the Ballot only in name, and would make it as ridiculous as the hon. Member for West Essex (Sir Henry Selwin-Ibbetson) said he wished to make it when he proposed the insertion of the word "open." The right hon. Gentleman the Vice President of the Council had spoken of these words as having been accepted on both sides of the House; but he should like to know who had expressed an opinion favourable to them except the hon. Member for Oldham (Mr. Hibbert), and the right hon. Member for South Hampshire (Mr. Cowper-Temple), the latter of whom was opposed to the Ballot, while the former seemed to have a facility for suggesting compromises which were considered untenable by hon. Members sitting in that portion of the House, but which were commonly accepted by the Government. The present Amendment, however, was suggested not by the hon. Member for Oldham, but by the hon. Member for Boston (Mr. Collins), who would frankly admit that his intention was to make the Ballot as ridiculous as it was the intention of the hon. Member for West Essex to have made it. The Act was passed at the time when Lord Palmerston was Leader of the House, and at the time when the anti-Ballot party was in a majority in the House; and it was never intended to give the Ballot and to provide for secret voting. The working of the Act in



London had certainly not developed anything like what was known as the Ballot; and the very fact that the churchwardens were to nominate the Inspectors under the Act was a very strong reason for regarding the application of it to elections under the Education Bill with suspicion; not that churchwardens would take any unfair advantage of the powers intrusted to them, but in people's minds they would naturally be associated with the Church, and in that way the religious difficulty would be imported into the elections. With regard to the nature of the Ballot which would be established under the alteration which the Government wished to adopt, it was a secret Ballot only in the sense that the Ballot for places in the Ladies' Gallery were secret. Coloured papers were continually used in order to give facility to terrorism. The right hon. Gentleman said it would be his business to improve the working of the old Act. Why, then, put down the words which were on the Paper, for the insertion of which there was no necessity whatever. He believed there had been an agreement arrived at between the hon. Member for Oldham (Mr. Hibbert) and the right hon. Baronet the Member for Droitwich (Sir John Pakington), and that that explained the course which had now been taken. He (Sir Charles Dilke) had never been one of those who asked for the insertion of the Ballot in that Bill; but if the Government had decided to give that security to the country, it was of the greatest importance that the Ballot should not degenerate into a sham. Hon. Gentlemen opposite, in opposing the insertion of any words in regard to the Ballot, used the ordinary argument that it was un-English and sneaking. But he would call their attention to the fact that all the supposed disadvantages of the Ballot would be as certain to occur under the form now proposed, while those advantages which so many hoped for—such as security against intimidation—would have no chance of being secured.

SIR JOHN PAKINGTON denied that there was the slightest foundation for the statement made by the hon. Baronet that there was an understanding between the hon. Member for Oldham and himself.

MR. HIBBERT said, that what led to his suggestion was this—that the other

night, after 10 or 11 Divisions on the present subject, it struck him that it would be well if some steps were taken to get rid of the opposition of hon. Gentlemen opposite; and it appeared to him that this might easily be done if they confined themselves to principles already embodied in an Act of Parliament—namely, the Metropolis Local Management Act. He had had no consultation whatever with hon. Gentlemen opposite. Shortly after he had made his suggestion the Government expressed their readiness to act on it. The Government, not having decided to omit the Ballot, or adopt what was called a perfect Ballot, had no other course open to them but that which they were now taking. For his part, though a friend to the Ballot, he thought more of the Education Bill than of the Ballot, and if it was necessary to sink the Ballot he would do so rather than sink the Education Bill. It had been said the Ballot of Mr. Hobhouse's Act was not worth having; but, whatever might be done in Chelsea or elsewhere, there could be no doubt that if the conditions of the Act were complied with anybody that liked might secure perfect secrecy, those who might try to contravene it being subject to a penalty of not more than £50, and not less than £10. It was not fair to leave to the Education Department, as the hon. Member for Chelsea (Sir Charles Dilke) wished to do, the determination of the mode by which the Ballot should be taken, for it was quite possible they would then be one day calling the representatives of the Department to account. Far better was it to legislate according to a principle already embodied in an Act of Parliament.

MR. W. E. FORSTER said, this was the 21st night of the Education Bill, and he would beg their attention while he explained why the Government had adopted the Ballot question at all in this Bill, and also why he had introduced certain qualifying words. It was not the wish of the Government to raise any other question by the side of such an important one as that of Education; but hon. Members would recollect that during the debate on the second reading many observations were made as to the mode in which elections were likely to be held in the country. He then explained why the Government proposed to introduce the Ballot into this Bill—namely,

[ *Consideration.*

in order to afford the utmost possible security that the Board which would have to deal with the education of the children should be freely elected by the parents. To insure that being done they struck out the provision relating to plural voting and they introduced the Ballot, and hon. Members ought not to be surprised that the Government had in that way fulfilled their promise. At a later stage his right hon. Friend the Secretary of State for the Home Department alluded to the fact that vote by Ballot was in the Bill, and it was on that understanding that the House went into Committee on the measure. The first re-printed Bill contained clauses providing how the Ballot should be put in operation; but great changes were made subsequently, one of which was the result of an Amendment by the noble Lord the Member for the West Riding (Lord Frederick Cavendish) by which the Committee adopted with unanimity the principle of the cumulative vote. The Government had then to decide whether they would, in a great hurry, draw up a scheme for the working of the Ballot together with the cumulative vote, or whether they would ask to be intrusted with power to provide a plan in their discretion. They drew up clauses which would probably have carried out the views of the Government and have given satisfaction to the House, yet they felt that it would be dangerous to deal with such a difficult matter in so short a time as they had at their disposal. He (Mr. Forster) therefore, gladly accepted an Amendment of the hon. Member for Chelsea (Sir Charles Dilke), who thought that discretion should be given for one year to the Government to make regulations about the Ballot which was to be adopted. There was, however, another remark he might make in reference to the question of the Ballot. When they first proposed to adopt the Ballot in reference to this measure, it seemed certain that during the present Session that question would have been settled by Parliament upon its merits. That was, he knew, an argument against the action which the Government had taken, and although his saying so might seem to give an advantage to his opponents, yet he thought it would be the best policy to state the case fairly. When, however, it became doubtful whether the Ballot question itself would be settled this Session, they considered whether they

ought to strike it out of this Bill; but the Government felt they could not do so—firstly, because of the pledge they had given on educational grounds to introduce the Ballot; and, secondly, because the metropolitan Boards would be elected under a system the principle of which was already voting by Ballot. They, however, thought it was their duty to prejudge the question as little as possible, and they, therefore, proposed that their regulations as to a Ballot should last for one year only. These were the reasons why the Government had adopted the Ballot, and they had since introduced the qualifying words in order to meet a suggestion which was made by the hon. Member for Oldham (Mr. Hibbert) and accepted by several hon. Members opposite, and which seemed to carry out the object which the Government had in view—namely, that the poll should be taken upon the principle of the Metropolis Local Management Act. That principle he understood to be that a Ballot should be taken by means of papers, containing the names of those candidates for whom the electors voted being put into a Ballot-box. His hon. Friend (Sir Charles Dilke) had called that “a sham Ballot;” but he (Mr. Forster) maintained that it was not so. It was established by the 1 & 2 Will. IV., commonly called Hobhouse’s Act; it was made use of at Maryport; and in reference to its adoption there, Mr. Francis Taylor, of Manchester, the chairman of the Liberal Association of that city, had been examined. When he was asked—“Does it secure secrecy?” he replied—“Yes, certainly.” That was the evidence of a gentleman who had paid great attention to the system, which was the foundation of the Ballot as carried out in South Australia. He had himself seen the plan in operation. No one knew the object of his visit, and it was clear to him that, if he pleased, any voter could insure secrecy. The mode in which he saw an election carried on was this—On a table in the room where the voting occurred there was an official list containing the names of the candidates. Several gentlemen and some ladies, who voted in his presence, entered the room, and, without anybody being able to see what they did, they struck off the papers which they received the names of those for whom they did not wish to vote; those papers were then folded up and put into



a Ballot-box, and he defied anybody to find out how those persons voted. Some others came in with coloured papers which showed how they were going to vote; but it was evident that no one cared whether the voting should be secret or open, for there was no excitement; but that was no fault of the plan, while nothing could be easier than to make a regulation to the effect that none but the official voting papers should be used. He had, on behalf of the Education Department, to solve the very difficult question as to what kind of Ballot ought ultimately to be adopted in reference to the election of Boards. There appeared to be two kinds of Ballot—in one the voter might have secrecy if he pleased; but in the other secret voting was compulsory, and it was because he understood his hon. Friend the Member for Chelsea (Sir Charles Dilke) and those who thought like him, to mean that secrecy in the election of Boards ought to be of the compulsory kind, that he felt it would not be desirable for the Government to be hampered with that condition. He, however, maintained that the plan on which the election of vestrymen in the metropolis was conducted was one by which the voter might secure secrecy if he pleased, and therefore the hon. Member for Oldham was right in saying that there was no sham or deception about that system. He submitted that the Government had not gratuitously imported the question of the Ballot into this Bill, while it was due to his own personal character to say that in proposing a particular form of Ballot he did not intend to be any party to a deception. The Government made this proposition for only one year. In conclusion, he appealed to hon. Gentlemen on both sides of the House, and to his hon. Friend the Member for Chelsea (Sir Charles Dilke) whether, after the explanation he had given them, they would not allow the Bill to proceed.

MR. COLLINS said, the suggestion did not originally come from the hon. Member for Oldham (Mr. Hibbert). He (Mr. Collins) objected on all occasions to increasing the power of the Executive, his maxim being rather to cripple it. He did not like a set of clerks prescribing to the country the mode in which they were to be governed. There was no constitutional objection at first, when clauses were proposed to

be inserted embodying the mode of Ballot to be adopted, nor was there any objection on that ground when the hon. Member for Oldham suggested a mode authorized by an Act of Parliament. He regarded it as unfortunate that the Ballot had been introduced into this Bill, for he did not doubt that had the House passed the Parliamentary Elections Bill, the adoption of the Ballot in reference to the election of education Boards would have been a natural consequence.

MR. LEATHAM said, he had no hesitation as to the course he should pursue after the explanation of his right hon. Friend the Vice President of the Council. The settlement now proposed would in no way interfere with what should be done next year when they came to deal with Parliamentary and municipal elections. All that was now proposed was such a mode of election as should be accurate and efficient to meet the necessity of the case. He should vote with the Government.

MR. VERNON HARCOURT said, he was not satisfied that the ratepayers in the rural districts would have what was promised to them by the right hon. Gentleman—sufficient protection. It was said this was a temporary measure, and would not in any way govern the future application of the Ballot to Parliamentary and municipal elections. But they should now either have a real and honest Ballot or none at all; and he would be content to see the Ballot struck out of the Bill altogether rather than have the proposal now submitted to them carried into law. It would give no protection whatever. In rural districts it would leave matters very much in the hands of the churchwardens. There was nothing to prevent them from determining that the votes for the clergyman's candidates should be on red paper and the Dissenting minister's candidates on blue paper. [Mr. W. E. FORSTER: That will be prevented by our regulations.] He would then ask why the regulations were not put in their Amendment. He did not wonder that the hon. Member for Boston (Mr. Collins) was in favour of the Amendment. In fact, out-of-doors it was called "Collins's Patent Open Voting Ballot." He should be no party to such an arrangement. They would either have a Ballot that would give security or no Ballot at all.

[*Consideration.*]

COLONEL SYKES insisted that protection would be given to voters by the proposal of his right hon. Friend the Vice President of the Council.

MR. FLOYER said, that some Gentlemen seemed to think that the rural districts were the proper ground for experimentalizing with respect to the Ballot. For himself, he could not see why these districts should be selected more than the town districts. Such a proposal was based upon the old squire and parson argument, which had long ago been exploded. He himself believed that an unfounded prejudice existed against the parsons and squires, and the idea of trying the Ballot in the rural districts as an experiment was based upon that prejudice. He protested against such a procedure.

MR. GATHORNE HARDY observed that the position in which they found themselves was not a very agreeable one, owing to the course which had been pursued by the Government. If it was the case, as had been stated by the right hon. Gentleman the Vice President of the Council, that the metropolis was the only place in which there would be an election within a limited period, it might have been sufficient to provide that it should be held under the conditions of the present law. But they were now in a different position. The right hon. Gentleman did not ask them to adopt the Act in force in the metropolis, but something which he believed to be in accordance with the principles of that Act. The right hon. Gentleman not only asked them to grant larger powers than he thought ought to be accorded to any Education Department, but wanted to select what constituencies he pleased and to impose upon them what rules he pleased. He found himself, therefore, compelled, though entirely disagreeing from the opinions of the hon. Baronet opposite (Sir Charles Dilke), to support his Motion in preference to that proposed by the right hon. Gentleman.

Question put.

The House divided :—Ayes 185 ; Noes 115 : Majority 70.

MR. CAWLEY, with a view to preventing a secret candidate being foisted upon any district and carried without the knowledge of the ratepayers, moved an Amendment, requiring that public notice should be given of the nomina-

tion of a candidate seven days before taking the poll.

Amendment proposed,

In the Second Schedule, page 37, at end of first paragraph, to add the words "but no person shall be elected unless he shall have been proposed for election in the manner prescribed by such regulations, and public notice of his nomination shall have been published by the officer appointed to conduct such election, not less than seven clear days before the day appointed for taking the poll."

—(Mr. Cawley.)

Question proposed, "That those words be there added."

MR. W. E. FORSTER said, he hoped his hon. Friend would not press his Amendment, remembering that this power was given to the Education Board only for one year. He would bear the suggestion in mind, in order to prevent any election being made without proper publicity.

Amendment, by leave, *withdrawn*.

LORD JOHN MANNERS moved, Fifth Schedule, after "Marylebone," insert "Paddington, Saint Pancras." The noble Lord observed that, by adopting the Parliamentary divisions of the metropolis, they would be placing the election of school Boards in the hands of those who managed the Parliamentary elections. The borough of Marylebone occupied 5,000 or 6,000 acres, and contained a population of 500,000; and the object of his Amendment was to divide that immense constituency into the three well-recognized and long-established divisions of St. Marylebone Proper, Paddington, and St. Pancras, for the purpose of facilitating the election of a school Board.

Amendment proposed, in the Fifth Schedule, page 42, after the word "Marylebone," to insert the words "Paddington, Saint Pancras."—(Lord John Manners.)

MR. W. E. FORSTER reminded the noble Lord that the principle adopted by the House was not school Boards for each division, but a school Board for the whole metropolis; and it would be impossible to carry that principle into effect if the divisions suggested in the Amendment were to be made. The objection with regard to the danger of these elections following in the same groove as Parliamentary elections would be removed by the operation of the cumulative vote.

Mr. Vernon Harcourt



Question, "That those words be there inserted," put, and *negatived*.

Bill to be read the third time *To-morrow*, at Two of the clock.

#### IRISH LAND BILL.

##### LORDS' AMENDMENTS CONSIDERED.

Lords Amendments to Commons Amendments to Lords Amendments, and Lords Reasons for disagreement to certain Amendments, *considered*.

New clause (A), (Permissive Registration of Improvements).

MR. CHICHESTER FORTESCUE said, the Government regretted that the Lords had thought it necessary to insist upon the retention of this clause, and the Government had not changed their opinion as to its disadvantages; but, rather than risk the safety of the Bill, they did not propose to insist upon the Amendments made by the House of Commons.

MR. SYNAN said, the adoption of the Amendment was substantially a repeal of the 5th and also of the 4th clause. The Bill had been framed on the principle that the tenant was not a free agent and could not consent, and yet it was now proposed, if a landlord, with the consent of the tenant, registered any improvements as made by himself, the tenant should be deprived of all title to compensation. The landlord would be enabled to register improvements as his own which the tenant had really made, and the tenant must either allow the landlord to register them, or he must give up the farm, if the landlord was so bad as to insist upon it. If there were no bad or felonious landlords in Ireland the Bill was unnecessary; and if the Bill was necessary, this Amendment would defeat its object, and sanction the bad system it was intended to put an end to.

MR. GLADSTONE said, the Government agreed in many of the objections raised by the hon. Member; but it was not necessary for him to enter into arguments which had been fully discussed on many previous occasions. The Government adhered to the opinions which they had already expressed; but he wished to point out an overstatement of the case from the hon. Member's own point of view, and a material omission in his speech. He thought the hon. Member

overstated the case when he gave the House to understand that under the operation of this Bill, if passed in its present form, such would be the condition of the Irish occupier that, however extraordinary or monstrous might be the claim made by the landlord, he would not venture to resist. Without going into the question as to how far landlords would be likely to claim to register as their own the tenants' improvements, he would remark that the Government believed that the restraints imposed on evictions by this Bill would give the tenant a position such as he had not before known, and one which would enable him to enforce his rights. The omission of the hon. Member had reference to an essential point in the argument. The question for him was not whether this was a good or a bad clause, but whether he would be content, upon the rejection of this clause by the House of Commons, to see the Bill lost in the Lords. They had now reached a point at which it would be unseemly and absurd to bandy the Bill backwards and forwards between the two Houses. Such a procedure would not be to the advantage of either, and nobody would derive an advantage from a prolongation of the controversy. The Government wished, therefore, to send the Bill back to the House of Lords, after the operations of that night, in a form to which they meant to adhere, leaving it to others, if they chose, to raise further difficulties to the passing of the measure. With that intention they could not properly—or, he would even say, honourably—insist upon anything which they did not consider to be of vital importance. Was the hon. Member prepared to say that rather than pass the Bill without this clause he would see the Bill lost? If he was, then he was consistent in the course he was pursuing; but if he was not, then he was raising an irrelevant issue. As stated by his right hon. Friend the Chief Secretary for Ireland, the Government were unwilling to risk the passage of the Bill, and they therefore waived their objections to the clause.

SIR ROUNDELL PALMER said, his opinion had always been in favour of the clause, and reminded the hon. Gentleman (Mr. Synan) that the larger tenants were now excepted from the presumption of Clause 5, and it was chiefly with regard to the larger farms that the

preservation of evidence would be important. He hoped the hon. Gentleman on reflection would not think it was really probable that Irish landlords would claim a right to improvements which they had never made.

MR. MC CARTHY DOWNING said, he regretted that the Government had acceded to a clause which, in his opinion, would lead to much litigation. He thought also that they might have found a cheaper tribunal for registration purposes than the Landed Estates Court; the clerk of the Union might have performed this duty.

*Resolved*, That this House doth not insist upon the Amendments to which The Lords disagree; and doth agree to the Amendments made by The Lords to the Amendments made by this House; and doth not insist upon its disagreement with The Lords in the Amendments as far as the Amendment in page 8, line 16.

The Clerk at the Table then read the following:—

"The Lords insist on their Amendments in page 8, line 8 and line 16, to which the Commons have disagreed, for the following reasons:—Because it would be unjust to treat a landlord as disturbing a tenant in his holding who does no more than proceed to evict the tenant because the tenant makes default in the fulfilment of his part of the contract of tenancy—namely, payment of the stipulated rent; and because the clause, as altered by the Commons, would leave it virtually open to every judge, without any principle or rules being laid down to guide him, to determine arbitrarily what shall or shall not be a disturbance by the landlord."

MR. CHICHESTER FORTESCUE said, that this was the only point in the present stage of the Bill upon which the Government felt it to be impossible to agree with the Lords. The Government had already made considerable sacrifice for the sake of agreement at this final stage; but on this important clause they could not entirely concur with the Lords; on the contrary, they were obliged to differ from them to some considerable extent, though not altogether. The state in which this clause, now numbered 9, but best known as Clause 8, came before the Commons was this—The well-known words which enabled the Court to deal with certain cases of ejectment for non-payment of rent as a cause of disturbance upon "special grounds" had been struck out—that was, the words "on special grounds" had been omitted by the Lords, for the reason that they would confer on the Judge a dangerously extensive and vague power, and would enable

him to determine arbitrarily what should or should not be deemed disturbance by a landlord. After careful consideration, the Government had made up their minds to give up the words "on special grounds;" but, on the other hand, they could not concur in confining the clause to the single special case which had been substituted by the Lords for the wider discretion originally vested in the Judge; the special case being that of a tenant over whose head old arrears for rent were hanging. That case, no doubt, was an important one; but the Government were strongly of opinion that, considering the admittedly unprotected condition of the smaller tenants, and the numbers of them who had been obliged to submit to the rents they now pay, it would be unjust and impolitic to leave them without some protection from the clause. For that purpose the Government proposed—without striking out any of the words now in the clause—to insert, in line 34, these words—

"Of a holding valued at a sum not exceeding £15 per annum, if the Court shall be of the opinion that the non-payment of the rent is owing to its being excessive."

By the adoption of this Amendment the operation of the clause would certainly be reduced to something narrower and more definite than was originally proposed; but it would at least provide for the protection of that class of tenants who most needed it, and he earnestly hoped that the clause, as thus amended, would meet with the acceptance of both of the Houses of Parliament. He moved that the House should agree to the Lords' Amendments, and should insert the words above mentioned.

MR. MC CARTHY DOWNING said, that the case provided for by the Lords' Amendment of a tenant who owed three years' rent was a purely imaginary one. Such a provision might have been of some use in the years immediately following the famine; but everyone who knew anything of the present condition of Ireland was aware that you might go through the length and breadth of the land before finding a tenant who was three years in arrears with his rent.

THE SOLICITOR GENERAL FOR IRELAND (Mr. Dowse) said, it was not proposed to strike out anything which the Lords had put in, but to add the words alluded to.

*Sir Roundell Palmer*



MR. SYNAN said, that by the course now proposed to be pursued it was evident that all persons whose holdings were above the annual value of £15 were, at a stroke, deprived of the benefit of the clause. To that extent the Bill was rendered illusive. He also entirely agreed with his hon Friend (Mr. Downing) that tenants owing three years' rent might be searched for almost in vain all over Ireland. But, after what had been said by the Prime Minister, it seemed that the House must either accept the Lords' Amendments, or sacrifice the Bill; so that all he could do was to utter his ineffectual protest.

DR. BALL said, this clause, and especially the section of it now under discussion, had been strongly opposed when they were in Committee on the Bill, though no Division was taken, the fact being that the House was so thin, and so many of the Members of the Opposition were away, that it appeared to him to be useless to challenge a Division. The present concession of the Government was undoubtedly valuable, and took away the unlimited powers formerly given to the Judge; but the section still contained an objectionable element, because it allowed the chairman to be the judge of the rent—to say in the case of all holdings under £15 that the rent was too high, and that to attempt to enforce it would be equivalent to disturbance. The fact would not be confined to the particular cases adjudicated upon. For instance, if a tenant was considered by the Judge to be paying too high a rent for a particular piece of ground, it was clear that all the other tenants in the same district and of about the same sized holdings would take advantage of the decision, and that thus a readjustment of rents would virtually be the result. He should have greatly preferred the Bill if all reference to ejectment for rent had been omitted; but, at the same time, it would be matter for consideration whether, with the view to the success of the measure, the concession of the Government ought not to be accepted.

MR. GLADSTONE confessed that he was disappointed in all but the last sentence of the right hon. and learned Gentleman. He denied that when the clause was originally under discussion that the House was a thin one, and the right hon. and learned Gentleman was not entitled

now to plead the absence of his friends as a reason why no Division was taken. Besides, other opportunities for raising the question had not been taken advantage of by hon. and learned Gentlemen opposite. The truth was, that the right hon. and learned Gentleman was obliged to search far and wide in order to justify—not his own conduct, which needed no justification—but the conduct of noble Lords in “another place.” The right hon. and learned Gentleman also misapprehended the nature of the clause. It would have no effect in determining rents. Whatever rent any peasant in open market was ready to offer, after eviction had taken place, might be received by the landlord, and no person could interfere, either directly or indirectly, with the contract. The whole operation of the clause was retrospective, and it was not even retrospective with regard to rent; but it only provided that where, in the opinion of the chairman, rent had been extortionate, he should be entitled to make an allowance to the tenant. The Government admitted that they attached great value to this clause. They had themselves done all in their power, and they had exerted their utmost influence with their followers, to avoid conflict, and to wash their hands of the responsibility of a confirmed difference of opinion between the two Houses. In order to bring about agreement, they had now given up a large portion of the clause, though it had originally passed through the Committee without a Division or serious opposition. He trusted, therefore, that they might accept the last sentence of the right hon. and learned Gentleman opposite as the key to the intentions of the Opposition; for it would be painful to contemplate the breaking down of such a Bill as this, and there were other consequences of such a breaking down to which it was not now necessary to refer. They made with the greatest pain and reluctance this concession, because it was against their conviction of what the Bill ought to accomplish, and they only did it under a sense of the extreme responsibility that would rest on those who left anything undone that might avert a rupture between the two Houses. Government had not desired, and did not desire to go into any general discussion as to the course that had been taken in reference to this Bill in “another place,” and they

hoped they would not be driven into such a discussion, for he was sure that if they were the results would be painful and injurious. He hoped that the concession they now made would be met in a corresponding spirit, if not, they would feel that after all the pledges they had given, and the exhortations they had addressed to the Members on their own side of the House, the very ground upon which those appeals were based had been cut away under their feet.

SIR GEORGE JENKINSON said, that the right hon. Gentleman had said that the Amendment of the Government would not give the chairman power to lower the rent of a tenant; but as the right hon. Gentleman had admitted, in the next sentence, that it would enable him to grant a compensatory allowance to the tenant in instances where he considered the rent to be extortionate, it was difficult to understand the point of the right hon. Gentleman's denial. He strongly objected to the Amendment of the Government.

MR. DISRAELI said, he thought it expedient, after all that had occurred, that the suggestion of the Government should be favourably considered. He must, however, correct the right hon. Gentleman the First Minister of the Crown in the representation he had made as to the conduct of his right hon. and learned Friend near him (Dr. Ball) when he said that he had taken objection to this principle at the ninth hour. The fact was that his right hon. and learned Friend had continually, during the discussion, objected to this principle, and, although he did not consider it expedient to test the favour in which his views were held by the House—he would not go into the details to which the right hon. Gentleman referred—his right hon. and learned Friend did take frequent opportunities to reiterate his objection. He, therefore, could not agree with the right hon. Gentleman that this objection was now taken at the last moment. He thought if anything had distinguished the conduct of his right hon. and learned Friend in reference to this Bill, it was not so much the learning, eloquence, and readiness with which he addressed himself to every question—quite superior to all petty party considerations—but the fair and candid spirit he had exemplified throughout the conduct of the measure. He could not refrain, in

justice to his right hon. and learned Friend, from making these observations against the attack of the right hon. Gentleman, which he thought was not well-founded. So far as this proposition of the Government was concerned, he should not oppose it or ask the opinion of the House upon it. He would leave those to deal with it who had recently considered it, and he had no doubt they would deal with it in the spirit of wisdom and patriotism.

MR. MAGUIRE said, he was willing as any other Member to bear his testimony to the ability and good feeling displayed by the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball), who, he was proud to say, had eminently upheld the fame of the Irish Bar in that House; but the question before them was not one of a compliment to that or the other Law Officer or ex-Law Officer; it was one of serious moment to the tenantry of Ireland; and in that sense he alone would regard it. The right hon. Gentleman the First Lord of the Treasury rightly appreciated the difficult position of those Irish Members who had given a consistent support to the present Bill in all its stages, and who, while endeavouring to render it more useful, never failed to admit the value and importance of its main provisions. It was hard enough for them to render their constituents contented with the measure, even as it left that House for "another place;" and therefore every attempt at curtailing its protective provisions, or in any way diminishing its value, enhanced the difficulty of their task. Admitting, as he must do, the critical position of the Bill at the present moment, and the absolute necessity of removing any serious impediment to its success, he could not but deplore the course the Government felt themselves compelled to take with respect to the Amendment now before them. In his opinion, the line was drawn too low down, and might have been placed at a much higher without alarming the susceptibilities of those who were ever in alarm about the so-called rights of property. There seemed no reason why it should not be raised much higher than £15 valuation. However, as the Government stated their determination to take that course, and adopt that figure, he knew it was impossible because useless to resist; and



therefore he and his hon. Friends around him had no option but reluctantly to submit. But, now that the Bill was leaving the House, probably for the last time, he would say that he was anxious to render it as acceptable as possible to all classes of the Irish community—that it might be felt as a gift from Parliament to the people of Ireland—a gift from the English people to the people of the sister country. The Bill did not, it is true, realize all the hopes entertained of it; but no reasonable man could doubt that it contained in it enough to do great good, in developing by protecting the energy of the tenant, and promoting a mutual good feeling between the one class and the other. He regretted the decision of the Government in the present instance; but he felt, under the special circumstances in which the Bill was placed, there was no choice left to those who were responsible for its carriage, though in their anxiety to deprecate opposition he thought they had gone too far.

Amendment in page 8, line 16, upon which their Lordships insist, *agreed to*, with an Amendment.

Lords Amendment to Commons Amendment to Clause (D) *disagreed to*.

MR. CHICHESTER FORTESCUE proposed an Amendment on the Lords' Amendment relative to the form in which the chairman's award should be given. The Lords had inserted a clause which required the chairman, in every case, to state in detail "the particulars and character" of the compensation awarded. This, it was thought, would tend to multiply appeals, and he now proposed to insert "the nature or particulars," &c.

DR. BALL said, the award ought to state the character of the loss for which compensation was to be given, whether it was for improvements or loss of occupation.

MR. GLADSTONE suggested that the word "character" should be retained as sufficient.

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment made by The Lords to the Amendment made by this House to Clause (D), to which this House hath disagreed:"—MR. GLADSTONE, MR. CHICHESTER FORTESCUE, MR. SECRETARY BRUCE, MR. SOLICITOR GENERAL FOR IRELAND, MR. AITON, THE JUDGE ADVOCATE, MR. GLYN, and MR. ADAM:—To withdraw immediately; Three to be the quorum.

## SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Question again proposed,

"That a sum, not exceeding £1,794, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Offices of the Registrars of Friendly Societies in England, Scotland, and Ireland."

MR. RYLANDS said, when the Chancellor of the Exchequer brought in a Bill on this subject he stated that the duties of registrar were of an insignificant character, and might be performed by a clerk of the Board of Trade, which would save the country £1,000 a year, which was paid to the late Mr. Tidd Pratt. He found, however, that £800 a year was given to the present registrar, who was also in receipt of £1,200 a year as assistant solicitor to the Treasury, so that that gentleman was either receiving his salary as solicitor without having a corresponding amount of work, or he was receiving this £800 a year without justification. He moved that the salary of the registrar be omitted from the Vote.

Motion made, and Question proposed,

"That the Item of £800, for the Registrar of Friendly Societies, be omitted from the proposed Vote."—(Mr. Rylands.)

MR. ALDERMAN LUSK trusted that the matter would be allowed to stand over for this Session, at all events, as the members of the friendly societies attached great value to the existence of the office.

MR. WHITWELL believed that what duties there were could be as well performed by a clerk of the Board of Trade as by an official with £800 a year, and supported the reduction all the more readily as the continued sanction of the present arrangement might ultimately involve a claim for compensation if the office were abolished.

MR. HERMON believed that the salary was not paid for any useful purpose.

MR. STANSFELD explained that the appointment was only temporary, and could in no case give rise to any claim for compensation. The Chancellor of the Exchequer had proposed to deal with this appointment, and modify the character of the work, but had not yet

been able to carry out his intention, and a Commission was about to be appointed to inquire into the operation of these societies. That Commission would be immediately appointed; but until it had reported, and the Government had considered its recommendations, it would be necessary that some person should hold the office. The most reasonable way of managing the matter was to appoint some one to the office temporarily. The effect of the Amendment, if successful, would be that the business of the Department under the Act of Parliament could not be done.

MR. ACLAND said, he wished it to be clearly understood that the work done in the registrar's office was by no means of a perfunctory or formal character. The most vigilant watchfulness was exercised in the office over the various benefit societies which came under it. What was to be regretted was that the signature of Mr. Tidd Pratt to the legality of friendly societies was taken to mean a great deal more than it really did.

MR. HERMON said, that if the assistant registrar had time to earn £800 in another department, he must be overpaid in the law department.

SIR JAMES LAWRENCE said, that the services of the late Mr. Tidd Pratt as registrar were most valuable, and the necessity for obtaining his signature to the rules of a benefit society had often prevented the establishing of rules which would have operated most prejudicially upon the members of such societies.

MR. RYLANDS said, the Chancellor of the Exchequer himself had stated that the office held by Mr. Tidd Pratt could be done away with without detriment to the public service, and its duties distributed among other Departments, so that the salary of £1,000 a year could be altogether saved.

MR. CANDLISH said, that the duties of the office could have been delegated to the assistant registrar, who had a salary of £500 a year, and who, as a matter of practice, did the main part of the work, if he was not clothed with the main responsibility.

MR. STANSFELD said, the assistant registrar was appointed in consequence of the great accumulation of the work.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

*Mr. Stansfeld*

(2.) £241,656, Stationery, Printing, &c.

MR. MACFIE suggested that *The London Gazette*, instead of being sold at a high figure, should be reduced in price. He believed that would be true economy; for though a profit was realized upon it now, its sale was very limited, and if the price were lowered the sale would greatly increase. He also suggested that greater facilities should be given to the public for the purchase of Parliamentary Papers, which at present were only sold to the extent of £542.

In reply to MR. WHITWELL,

MR. STANSFELD said, the *Army* and *Navy Lists* were not sold at a profit.

In reply to MR. HERMON,

MR. STANSFELD said, there was a reduction of nearly £30,000 on the Stationery Vote, but it was obtained by legitimate economy, and not by means of keeping a smaller stock of stationery on hand.

MR. RYLANDS said, that the sale of waste paper in the Stationery Department and in Hansard's office had realized £10,000. It would be very beneficial if a portion of the Parliamentary Papers, which were of general public interest, should be sent to public libraries and museums.

In reply to MR. CANDLISH,

MR. STANSFELD said, that the sum of £23,000 received for advertisements in *The London Gazette* was obtained partly from private advertisements, and partly from public advertisements inserted by the various Departments of the Executive. The item, therefore, was not all profit.

*Vote agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £17,524, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

MR. ALDERMAN W. LAWRENCE said, it was very difficult to describe the position held by Mr. Gore and Mr. Howard. From the remarks made respecting this office the other day, they seemed to be almost above the law and beyond the purview of this House. Still, he did not consider that they were quite heaven-born administrators; and it was instruc-



tive to note that in the Report of the Commissioners of Woods and Forests and Land Revenues for the year 1868-9, which was the last year they could refer to, the Woods and Forests, once the principal sources of Revenue of this Department, yielded from some 120,000 acres a gross revenue of £49,532, the expenditure being £48,763, leaving a net balance of £769. But if a fair proportion of the Vote of £26,958 for Salaries, Law Charges, and Expenses of the Department be charged to the Woods and Forests, the expenditure will be found to exceed the income by many thousand pounds. It was true that the expenditure on Windsor Forest was £20,000, while that on the other forests was £28,700. \*Everyone knew that the New Forest contained something like 63,000 acres. The receipts from that forest last year amounted to £15,534, and the expenditure to £13,766, leaving a profit of only £1,768, a sum on which the Commissioners could scarcely pride themselves. He thought that by a judicious appropriation of some parts of that forest, it might be made much more remunerative without depriving the people of the enjoyment which it afforded them. He was convinced that nothing would be done by the Commissioners unless pressure was brought to bear on them from outside. It was said they were bound by their oaths to obtain as much money as possible for the State, and that was, he supposed, the reason why they dug gravel pits in Blackheath; and it would, perhaps, be gratifying to the inhabitants of Blackheath to know that a sum of £53 had been spent on levelling those gravel pits; which was exactly one year's income from their working. With regard to the Thames Embankment, which was one of the most beautiful as it was one of the greatest works of the century, he could not but point out the want of taste displayed by the Commissioners in erecting a dead wall on the land side of the Embankment, instead of having a beautiful railing, such as that which surrounded Hyde Park. He supposed we might consider ourselves fortunate if the Commissioners, in obedience to their agreement and oaths, did not let out this wall for advertising purposes, by which means possibly £700 a year might be realized, if a proper appeal were made to sensational advertisers.

The Commissioners of Woods and Forests had obstructed the improvements at Hamilton Place and Park Lane. He could not avoid referring to the very heavy item for the Queen's Road (better known as Palace Gardens), Kensington, it being no less than £1,185, from which £307 received from the inhabitants was to be deducted. Yet cabs were not permitted to be driven on this road, which certainly required alteration. A sum of £7,860 was charged for legal expenses, and this, in his opinion, was very high. The expenditure last year of receivers, for their salaries and incidental expenses, was £14,500, which, added to the sum of £27,227 for offices and including law expenses, amounted to £41,727. He was not prepared to move the reduction of the Vote; but he should like to have some explanation of the figures he had brought before hon. Members.

MR. MELLOR said, that his analysis of those accounts brought him to very much the same results as those previously indicated by the worthy Alderman. The receipts from all sources upon those various estates were £446,173, while the total expenditure upon the Department was no less than £101,717, or over 22 per cent. This was a matter which really required the attention of gentlemen at the head of these Departments, and he hoped that some attention would be paid to it during the Recess, else he would find himself compelled next Session to move the omission of the Vote altogether.

MR. GOLDNEY said, that the evidence taken before a recent Committee showed that all the establishment charges for the Woods and Forest Department were voted in the Estimates, whilst all other expenses were, to a certain extent, in the discretion of the heads of the Department, subject, however, more or less, to the approval of the Treasury. Unfortunately the Treasury understood their duty to be to get as much money as they could from the estates, without considering the means of enjoyment or the privileges of the public. He concurred in thinking that the whole subject ought to be reconsidered next year, for there undoubtedly existed a growing feeling of dissatisfaction with the mode in which these large estates, and especially the New Forest, were managed. In a few days it would be his duty, at

the request of the people living in the neighbourhood of the New Forest, to ask the Secretary to the Treasury whether the Commissioners would not abstain from incurring further expense in planting that estate with timber. He was one of those who did not believe in the growth of timber. If land would produce a rental of 10s. an acre, then it did not pay to grow timber on it; and there was no justification for growing timber in the New Forest, except when the ships of the Navy used to be built of oak, and it was thought expedient to have a supply of seasoned timber obtained in that way, because in times of emergency they might not be able to get it from private traders. That state of things had, however, now passed away, and those large estates might be made much more productive in a pecuniary point of view, and also much more conducive to the pleasure and recreation of the community.

MR. M. CHAMBERS said, they had an opportunity the other evening of hearing what were the Prerogatives of the Crown in that matter, and the nature of the contract between the Crown and its subjects when any new Sovereign succeeded to the Throne. It was well known that estates that originally belonged to the Crown, and were formerly managed by Royal functionaries, at the commencement of every reign became national property, the Crown being voted a certain income, and the public taking those estates into their own management. For that purpose the Commissioners of Woods and Forests had been appointed, and the question which any ordinary man of business would ask was, whether those estates were now managed profitably and for the advantage of the nation? The answer unfortunately must be that they were notoriously and infamously mismanaged, and of this fact the New Forest was one illustration. He did not know who the Commissioners now charged with the duty of looking after those estates for the benefit of the nation were, and therefore it must not be supposed he was making a personal attack on them, but he must say he believed that property had not been managed either carefully or creditably. Not only in many instances was little or no revenue derived from this valuable property, but when the account was taken the

balance was on the wrong side, and losses had resulted consequently. It was now proposed to act as spendthrifts and dispose of the estates, whereas by good management a larger income might be received from them. As to the New Forest, he did not agree that all the timber should be cut down, and the place parcelled out in farms. There was a Bill now before the House in reference to Epping Forest, over which the Crown possessed extensive rights; but unless the public looked uncommonly sharp those rights would be sacrificed for the sake of convenience and to save trouble. He would not propose any reduction of the Vote; but he earnestly suggested that steps should be taken by the Government to make the Crown Lands as profitable as possible.

MR. STANSFELD said, he was aware that the Office of Woods and Forests was not a popular Department, because the interests which it was their duty to defend did not always commend themselves to popular approval. He, however, should not be doing his duty if he did not make some reply to the remarks of the hon. Member for London (Mr. Alderman W. Lawrence), who had introduced this subject, and whom he should hold responsible for the speech which had succeeded his own. [*A laugh.*] Nothing could please his hon. Friend. When the Commissioners sought to manage the Crown estates profitably, he said they were disregarding the interests and rights of the public. With regard to allowing cabs to go through Palace Gardens, to do so would be a breach of the covenants of the leases on which the houses were built. He must know that before that road was executed the land was Crown property let upon certain leases, one of the conditions of which was that the road was to be kept a private one under an Act of Parliament. Then, the hon. Member for the City had talked about the Thames Embankment; but he had no intention of following his example and reopening that subject further than to say that the Commissioners of Woods had felt bound, in the discharge of their duty, to take care that the rights of the Crown should be secured. The hon. Member, referring to the administration of the Royal Forests, had dealt with Windsor Forest as though it were one of the Royal Forests, which was not the case, it being merely a sort of appendage

*Mr. Goldney*



to the Castle, and being appropriated for the recreation of the public. The hon. Member had said that that forest only produced a balance of £700 per annum profit; but he must bear in mind that the property was not maintained with a view to profit. The total receipts for the Royal Forests, properly so-called, for the year 1868-9, amounted to £42,606 15s., against an expenditure of £28,752 18s. 8d.; but that expenditure included large sums expended on capital account for making new plantations. When the subject of the New Forest was under discussion in that House some months ago he had stated that he could not consent to deal with that forest on an account which merely showed the receipts and the expenditure, unless the sums expended or accruing on capital account were plainly shown. Mr. Clutton, the well-known eminent surveyor to the Office of Works, had just made his Report to the Treasury on that footing, and that Report would receive the most careful consideration of the Treasury, who would be prepared to advise the House of Commons upon the subject next year, and to suggest the course that should be pursued with respect to that property. The administration by the Office of Woods of the ordinary property of the Crown, consisting of houses, farms, &c., would compare favourably with that of the best managed private estates, the gross expenditure being 10 per cent on the total receipts, but 4 per cent was due to the property tax allowed to Crown tenants, and the various other fixed charges over which the Commissioners of Woods had virtually no control, and 2 per cent was expended for repairs and other necessary expenses, leaving only 4 per cent for the costs of actual management. In reference to the last somewhat remarkable speech to which they had listened, he must say that the hon. and learned Member for Devonport (Mr. M. Chambers), when he charged the Commissioners of Woods with having infamously mismanaged the Crown property, should have been prepared to substantiate that charge by facts and figures, and not have contented himself with mere vague generalities. As far as his personal knowledge of the Commissioners went, he must say that they were actuated by a most rigid sense of duty with reference to the trust imposed upon them. He might further say that both the surveyor and the solicitor to the Commissioners were gentle-

men whose eminence in their professions was a guarantee that the confidence of the Commissioners and of the Government in them was not misplaced. It would be as well for hon. Members to remember that in all matters where a directionary power was to be exercised it was the Treasury and not the Commissioners who were responsible for the course to be adopted.

MR. SCLATER-BOOOTH remarked that his right hon. Friend opposite (Mr. Stansfeld) had done no more than justice to the position and the conduct of the Commissioners of Woods and Forests. The right hon. Gentleman was also correct in stating that the Treasury were responsible in all cases where the most rigorous exercise of the rights of the Crown were departed from. He protested against the speech of the hon. and learned Member for Devonport (Mr. M. Chambers), which contained statements which could not be established. The net revenue of the Crown estates had increased, and was likely to increase from year to year. The 14,000 or 15,000 acres of which Windsor Park consisted were a vast pleasure ground, which was available for the people as well as for the Sovereign. With respect to the New Forest, he trusted his right hon. Friend would consider well before he determined upon the policy of breaking up that ancient and remarkable district, though it might be many years before the young plantations were likely to supply a pecuniary return. In his opinion, no gentlemen were more unjustly accused in that House of niggardliness than those who in these matters had the management of the rights of the Crown.

MR. C. S. READ desired to know what was the remuneration paid to the surveyor?

MR. GOLDNEY said, he concurred with the Secretary to the Treasury that no estates had been better managed simply with a view to pecuniary return; but it was a question, nevertheless, whether a larger portion of the property of the Crown might not be devoted to public purposes.

MR. MUNTZ said, he did not see why hon. Gentlemen who criticized these Estimates should be charged with attacking the Commissioners of Woods and Forests. He had watched the course of this Department for a long time, and the language used in its defence had

always been—"We hope that, next Session, something will be done." He, however, would take the liberty to propose something this year. He found that the receiver general was paid £600 a year; the assistant receiver, £400; the solicitor, £1,800; a clerk, £550; and two other clerks, £250 and £210 a year respectively. Without objecting to any of the salaries, he would move that the Vote be reduced by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £16,524, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."—(Mr. Muntz.)

MR. GLADSTONE said, the hon. Member (Mr. Muntz) would himself be amazed and abashed if he succeeded in carrying his Motion, as the effect of it would be to take away the salaries of certain gentlemen. He objected to the hon. Member drawing his bow at a venture and moving the reduction of the Vote, without pointing out in detail the mode by which the reduction was to be effected. The hon. and learned Member for Devonport (Mr. M. Chambers) had made some heavy charges. When charges were made against members of the permanent Civil Service they ought either to be met, or inquiries ought to be made. He believed that the two gentlemen who were at the Woods and Forests might vie with any other gentlemen in the Civil Service as regarded the manner in which their duties were discharged. He hoped that his hon. and learned Friend would recede from the broad proposition he had laid down, for which he had not quoted authority. Such charges ought not to be made without good ground, or unless it was designed that an investigation should take place. The Treasury were as responsible for the acts of the Woods and Forests as for any other Department of the Government. There had been a steady increase, amounting, he believed, to £5,000 a year in the rental of the Department of Woods and Forests during a period nearly approaching 20 years. They had now reached the time when, under the management of these gentlemen, the revenue paid into the Exchequer—which was £385,000 this year—equalled exactly the charge which had been made

upon the Civil List. He hoped his hon. and learned Friend would mitigate his condemnation of the Department.

MR. DISRAELI said, he thought that the hon. Member for Birmingham (Mr. Muntz) was scarcely open to the charge made against him by the right hon. Gentleman of being deficient in detail. On the contrary, he appeared to be eminently remarkable for detail, for he went through the salaries of the officers mentioned in the Vote, and approved of them all. Then he arrived at the logical conclusion that it was necessary to reduce the Vote. In fact, the hon. Member had the same command of detail that characterized his distinguished predecessor, Mr. Joseph Hume, in the old days; only he did not reach conclusions so satisfactory. He trusted, therefore, that the hon. Gentleman would not press his Motion to a Division. The right hon. Gentleman the Prime Minister had adverted to some painful circumstances which rendered it necessary for him to effect a change in the administration of the Woods and Forests. When he (Mr. Disraeli) was Chancellor of the Exchequer the whole of the management of the Woods and Forests was, in consequence of that change, brought under his consideration, and he had to go minutely into the subject. The gentlemen who at present held the office of Commissioners were in no way connected with him in political life, and he concluded that laborious investigation with the impression that there was no private property in this country better managed than were the Crown estates. He quite agreed with the Prime Minister in thinking that there were no public servants who were more deserving of the confidence of the country than the gentlemen to whom he alluded.

MR. MUNTZ said, the right hon. Gentleman (Mr. Disraeli) had evidently misunderstood him; for while he approved of the first class, he disapproved of items in the second class, to the amount of £1,000. However, as both sides of the House were opposed to a Division he would withdraw his Motion.

MR. M. CHAMBERS said, he had purposely abstained from details for fear the main issue should be lost sight of; and declaring that he knew none of the Commissioners, he disowned any intention of making a personal attack, but charged all the mismanagement home to the Government as trustees of the pro-

*Mr. Muntz*



perty. The estates had been infamously mismanaged; the country had even been confronted with a balance on the wrong side.

MR. C. S. READ asked the Secretary to the Treasury how the surveyor was paid?

MR. STANSFELD said, the surveyor was paid out of the gross proceeds of the estates.

MR. ALDERMAN W. LAWRENCE said, he hoped the £35,000 for irrecoverable rents would be written off. He believed the amount was made up of quit rents due from Ireland during the last 120 years, and was accurately described in the Commissioners' Report as "irrecoverable."

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £22,028, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings."

MR. BENTINCK, in rising to call attention to the office of Director of Works and Buildings, and to move that the salary be reduced by the sum of £750, said, he meant to cast no reflection upon the gentleman to whose Office he had referred; his objections would be directed against the new system which had been inaugurated in the Department. He was glad to see the right hon. Gentleman the First Lord of the Treasury in his place, because the First Commissioner of Works, when questioned on these subjects, had invariably shifted the responsibility which ordinarily attached to his Office upon Cabinet Ministers; and there might now be an opportunity of ascertaining the views of the Government upon the most extraordinary alterations which had recently been made in this most important Office. The Office of Works had always had the direction of the architectural works belonging to the Government, and therefore the First Commissioner had associated with him architects of the greatest eminence. For many years that distinguished gentleman, Mr. Pennethorne, filled the post of salaried architect and surveyor, receiving as remuneration £1,500. He continued in that position until 1868 when Mr. Layard, becoming First Commissioner, proposed to divide the Office into two, so as to pay

Mr. Pennethorne £750, and appropriate the remainder to a new officer, to be called Inspector of Works and Buildings. The matter was referred to a committee of the Treasury, who approved of the suggested arrangement, at the same time expressing an opinion that the First Commissioner required the aid of an officer conversant in a high degree with architecture. Mr. Fergusson was accordingly appointed Inspector of Works and Buildings; but in pursuance of a previous intimation which he had given, resigned on the appointment of the present First Commissioner of Works. That right hon. Gentleman then united the functions previously discharged by Mr. Pennethorne and Mr. Fergusson in the office held by Captain Galton. However eminent Captain Galton might be as an engineer and in other respects, he was not an architect. The gallant gentleman himself did not profess to be one. The result of this arrangement was not discovered until the debate on the alleged dismissal of Mr. Barry. Then his right hon. Friend must see that in the resignation of Mr. Fergusson there was an opportunity for an entire reorganization of the duties of the Office. [*Cries of "Agree!"*] If interrupted, he should move to report Progress. He had a right to proceed without interruption. Mr. Layard denied all responsibility with regard to the mosaics in the roof of the Houses of Parliament. He said he had to take a Vote of the House, and hand the work over to the architect to carry it out. Captain Galton was appointed to carry out the work. And what were the fruits? A most lamentable failure in the only instances in which that officer had been called on to act. This was a real question of policy—of a departure from an established principle by his right hon. Friend the First Commissioner. Until this year the Office of Works had never been without an architect. His right hon. Friend deemed himself to be above experts, and in the proposal for improving the refreshment rooms, a portion of the plan consisted in breaking the continuity of one of the corridors in order that a scullery might be erected. He begged to move the reduction of the Vote by £750, the amount of the salary of Captain Galton.

Motion made, and Question proposed,

"That the Item of £1,500, for the Salary of the Director of Works and Buildings be reduced by £750."—(*Mr. Bentinck*.)

MR. GLADSTONE, while admitting that the substitution of Captain Galton for Mr. Pennethorne in the Office of Works was a very fair question for the hon. Member for Whitehaven (Mr. Bentinck) to raise, thought that many of the topics referred to by the hon. Gentleman were quite beside that question. He quite admitted that an important change had been made, and one which ought to invite the closest scrutiny of the House; but he must correct the hon. Gentleman on one particular. He said it had been determined to do away with architects in the Office of Works; but he mistook the state of things which had prevailed in that Office for a long time. He was correct in saying that for a great many years the First Commissioner had in connection with the establishment a consulting architect; but for a long period the consulting functions of Mr. Pennethorne had passed into abeyance, though he acted as practical architect of several works carried out under the Office. The termination of Mr. Pennethorne's connection with the Office of Works as consulting architect had not been brought about by his right hon. Friend the present First Commissioner. It had been determined on long before his right hon. Friend became First Commissioner. During all the years that the consulting functions of Mr. Pennethorne had fallen into abeyance, the Office of Works had really been without the advice of experts. It was rather soon to pronounce positively on the merits of the new system, but the Government thought it was a good one. It was not one by which the Office of Works was to proceed without an expert. In every considerable work it would have the assistance of architects, and it would on all occasions have the assistance of an expert in Captain Galton as Director of Works. The question was whether the Government had done right in calling in the assistance of Captain Galton, who was acquainted with construction and with the mechanism employed in construction, but who was not a professional architect. The Government had reviewed the history of our public buildings; and, first of all, they came to the conclusion that, if the Office of Works were fortified by the assistance of a consulting architect, whose consulting functions were not placed in abeyance, conflict would constantly arise between him and the professional archi-

*Mr. Bentinck*

itects employed in connection with particular works. That conclusion was borne out by the fact that, in reality, Mr. Pennethorne had not acted as consulting architect for a very long time. So far from acceding to the sinister representations of the hon. Gentleman, as to the experience they had heretofore had, he would express a confident expectation that the working of the new arrangement would be found satisfactory even to the hon. Member himself. Independently of architectural taste, there were many questions on which it was desirable to have the advice of a practical man, and one who would not be ashamed to keep economy in view. In their great work, too, where they called in the assistance of special architects, it was most important to have the aid of a man who would look with the eye of an economist as well as of a constructor at the plans of those architects. Let them take their recent public works. There was the building in which they were assembled, which had cost between £3,500,000 and £4,000,000. If they had had well established in the Board of Works a competent adviser to the First Commissioner, who could have interfered with great knowledge and authority not as an architect, but as a constructor and an adviser with reference to economy, to check and control the execution of that vast Palace, he did not hesitate to affirm that an enormous saving would in all likelihood have been effected, and effected where it was greatly needed; for he owned he thought it a great reproach to the House of Commons during the last 30 years—and he must take his own share of it, whatever that share might be—that they, as administrators of the public purse, had allowed such an unbounded expenditure upon the building in which they held their deliberations. Therefore, he did not say that at this moment they could claim for the new arrangement the assent and approval of the hon. Gentleman. The First Commissioner of Works himself had had great doubt and hesitation in regard to an opinion which was strongly entertained by the Chancellor of the Exchequer; but the measure had been adopted by the Government on its own responsibility. There was about it a fair promise of success; there was no fear that this officer, who was not an architect, but a constructor, would fall into a state of inutility; and



the wise course was to allow an arrangement which had only been in operation three months a reasonable time to work, say till next year. Then the Government would not discourage the hon. Member's endeavour to call the attention of the Committee to the subject; but would look with considerable confidence to its being sanctioned by the House.

MR. BERESFORD HOPE regarded the appointment of an Assistant Surveyor of Works as a starting-point of a new and vicious system against which he felt bound to protest. The new policy of the Government was to dispense with the services of eminent architects, and to entrust the architecture of our first public buildings to a mere subordinate in the Department of Works. He found his evidence in the circular advertisement which lately appeared in the public prints inviting competition for the office of assistant surveyor in the Board of Works, which stated that the candidates "must be competent to design, and to superintend the construction of buildings;" and, finally, as a remarkable qualification, they would have to be "capable of making technical reports properly composed and spelt." What, he asked, was the use of seeking out an official who was to be capable of superintending and designing buildings if he was not intended to do both? and what sort of an architect would the person be who would have to prove that he could compose those reports without committing errors in orthography? This, then, was to be the subordinate who was to be put in to prompt that Director of Works who was to be chosen because he was an engineer officer, although he might have no taste, no knowledge of the science of beauty, no knowledge of architectural symmetry and proportion, but would simply be a judge of construction and of material, and a practical builder. If, behind that engineer, behind that under-servant of the Department of Works the "assistant surveyor," there was not to be an architect of eminence, experience, and wide learning, of the class of those whom the nation had hitherto employed to construct its public buildings, what were they to say to the new system? After further referring to the list of qualifications required to be possessed by the candidate for the new office, the hon. Member said there was room for grave suspicion that

it would be found to be a part of the new policy of the Department of Works, when fully revealed, that not only was a consulting architect to be dispensed with, but that they should not, in future, engage the services of any independent architect of European reputation such as Wren, Inigo Jones, Barry, Scott, or Street, whom the State had heretofore delighted to employ. The hon. Member concluded by asking for distinct assurances from the Government as to their real intentions in the matter, and by declaring that he would support the Motion of his hon. Friend the Member for Whitehaven (Mr. Bentinck).

LORD JOHN MANNERS said, he wished to call attention to the extraordinary position in which successive changes had placed the Office of Works. When the present Government came into Office they appointed a small but effective Committee to consider the question; and the Committee presented a Report, which was acted upon by the Chancellor of the Exchequer and the then First Commissioner of Works, who appointed Mr. Fergusson as a competent architectural authority to assist the Office of Works, Mr. Pennethorne still retaining his original position. Mr. Layard stated with great delight that the result would be a saving of many thousands a year, and he augured a period of success and satisfaction; but suddenly he went to Madrid. Mr. Fergusson disappeared, Mr. Pennethorne disappeared, and Captain Douglas Galton came in; and all this without further inquiry and without the issue of Papers to explain it. Of the architectural capacity of Captain Galton he knew nothing; and no answer had been given to the question of the hon. Member for Whitehaven (Mr. Bentinck)—namely, What is to be the architectural advice to which the Office of Works is to have resort? He gathered that it was not to be expected from Captain Galton. No doubt it would be a happy solution of the question if the Government were to say that, the Office being now denuded of first-rate architectural advice, no structural alterations should be made in any great building without the advice and assistance of the architect most competent to give it. It would be madness to trust any structural alteration of the Tower of London, for instance, to any architect who had not made such work his special study, and if it were the intention of the Government always

to call in the most competent architect he should be quite content; but in the darkness which prevailed the hon. Member for Whitehaven had done good service by calling attention to the state of the matter.

MR. AYRTON, having been accused of adopting an unprecedented course in seeking to make the Government responsible in cases such as had heretofore rested entirely with the First Commissioner of Works, wished to say that the position he had assumed from time to time had been based upon the statute law regulating his Office, and nothing could be more idle than for a person in Office to seek to inflate his position by assuming powers and authorities which did not belong to him. The truth was, that the Office of First Commissioner was entirely subservient to the Treasury; he was unable to undertake a single work, or to make any change in his Department, without the sanction of the Treasury; and, indeed, he had heard his Office described by a predecessor as little better than that of a superior Treasury clerk. This was not a very dignified view of the Office; but he thought it best that Members should keep within the line prescribed by the law. It had been suggested that he was engaged in dark mysteries, and to prove that he was concealing his operations, reference had been made to a printed pamphlet which explained to all the world what he was doing. In point of fact, what was being done was well known to all who would take the trouble to make inquiry; but misunderstanding would continue so long as hon. Members would undertake to criticize the proceedings of this Office without informing themselves accurately as to facts. He had already, on two occasions, explained this matter fully to the House, and yet remarks had been made at variance with his statements, and therefore he would for the third time explain the constitution of the Office. In the first instance, the office of consulting architect having degenerated almost into a sinecure, and that official being employed chiefly in works of construction, his predecessor, Mr. Layard, made an arrangement for the honourable retirement of Mr. Penne-  
thorne, who had been many years in the public service; who was not responsible for the fact that he had not been consulted; and whom there was no idea of dismissing, for he had held his office

with considerable credit. Instead of appointing a consulting architect, the Government created a new Office of Secretary of Works, and appointed a gentleman conversant with all questions appertaining to the discharge of his duties; but he found that the arrangement did not meet his views, and he determined to resign. And in reference to his case, again, it was very unfortunate that such a term as dismissal should be used. This happened before he accepted the Office of First Commissioner, and the retirement of this gentleman rendered it necessary to consider what should be done to make the Office of Works efficient for its purpose; and the arrangement made by the Government was that there should be in the Department an officer to be called the Director of Works, independently of him, or of a consulting architect, or of Mr. Fergusson. There was in the Office of Works, as there always had been, a body of gentlemen who were called assistant surveyors, a name calculated to mislead, because, in point of fact, they were architects, and the circular which had been quoted described their duties and qualifications. These gentlemen were always held qualified to undertake works of a general character, and they would continue to perform such duties; but the office of Director of Works was one of very great importance, and if he discharged his duty he would render very valuable service to the public. Before, however, an eminent architect was called in, there were always a number of preliminary questions connected with public works which required to be carefully considered and examined with a view to economy and efficiency; and it would be premature and attended with risk to hand over works to such architects before all preliminaries had been properly considered and dealt with. They had had experience of that in respect to the Foreign Office, which everybody complained of as being most inconvenient for the purposes of the service. It was to guard against danger of that kind that the Director of Works could be most usefully employed; and, when necessary, an architect of ability and genius would be called in for particular purposes. He ventured to say that the result would be a saving not of thousands of pounds, but of hundreds of thousands in the course of the next few years.

MR. COLLINS suggested that the



salary ought to be reduced not to £750, but to £1,000, which was a round sum.

MR. AYRTON explained that this would be no saving, as Captain Galton's pension, added to his salary, would be more than £1,500, so that the office had made a good bargain in securing his services for £1,500.

MR. COLLINS said, that might be true with regard to Captain Galton; but he wanted to fix the salary for the office in future times.

MR. CANDLISH said, he thought it would be better to give compensation of £500 and fix the salary at £1,000.

MR. MONK said, he had heard the speech of the First Commissioner of Works with astonishment. There were eight surveyors in the office, and according to his right hon. Friend they were all architects, and yet it was proposed to call in the occasional services of a ninth architect. If so, where was the use of a Director of Works? He certainly thought the Vote ought to be reduced to £1,000.

MR. GLADSTONE said, that Captain Galton, in the way of mere pension, was entitled to £750 a year, irrespective of performing any duty, so that in fixing his salary at £1,500 a year the Government had not made a bad arrangement.

LORD JOHN MANNERS said, that in consequence of the Report of the Committee that a person of architectural skill should be selected, Mr. Fergusson was appointed; yet when that gentleman resigned, that recommendation was reversed without any fresh investigation, and a gentleman not an architect took his place.

MR. COLLINS said, he thought the argument of the Prime Minister not a sound one, for the salary was voted for the office and not for the particular officer.

MR. RYLANDS said, it was impossible for him not to see that the opposition to the item arose on account of the change made in reference to Mr. Barry, and not from a regard to the public interest. Now, as he held the old system to have been a very extravagant system, he would be no party to covert attacks on the reforms which the present Government had initiated.

MR. BENTINCK said, that his object was not to reduce Captain Galton's salary, but to raise a discussion on the subject, although neither the Prime Minister nor the First Commissioner of

Works had given any reason why an architect should not be employed.

Question put, and *negatived*.

Original Question put, and *agreed to*.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £17,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for Her Majesty's Foreign and other Secret Services."

MR. RYLANDS moved to reduce the Vote by the sum of £10,000. He did not intend to go into the general question; but he had reason to believe that in the expenditure for the Foreign Office certain amounts were devoted by the officials to augment the salaries or pensions of persons formerly employed in the Foreign Office. In the Select Committee on the Diplomatic and Consular Services he had put certain questions on the subject to some of the witnesses.

MR. BOUVERIE rose to Order. The hon. Member was not entitled to refer to anything which had taken place before a Select Committee which had not yet reported to the House.

THE CHAIRMAN said, the rule undoubtedly was that until the Report of a Committee was laid before the House it was not regular for any Member of the Committee to refer to its proceedings.

MR. RYLANDS said, he would only then say that as he had reason to believe that a portion of the secret service money voted by the House went to increase the salaries and pensions of persons formerly employed in the Foreign Office, he should move a reduction of the Vote in order that the expenditure might be submitted to the House. The Under Secretary for Foreign Affairs could not justify the expenditure of the money to the House, as he was entirely ignorant of the purposes to which it was applied, no one having any control over it except the Secretary for Foreign Affairs. There was another ground on which he entirely objected to the mode in which the secret service money was expended. It did not come under the examination of the Audit Department. In the opinion of the Committee on Public Accounts the Foreign Office, in declining to submit the expenditure of secret service money to the Audit Board, were guilty of a breach of the law—at all events, they did

not fulfil the requirements of the law. What he wanted was a voucher that the amount voted by the House had been actually expended within the year; whereas, he had every reason to believe that there were at the present moment several thousand pounds of the secret service money in the hands of the Foreign Office unexpended. He thought this question deserved the attention of the Committee, and he moved the reduction of the Vote by the sum of £10,000.

Motion made, and Question proposed,

"That a sum, not exceeding £7,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for Her Majesty's Foreign and other Secret Services."  
—(Mr. Rylands.)

MR. GLADSTONE said, he wished, as this was but the fourth Vote they had been able to arrive at that evening, to lay before the Committee in a few words what he hoped would save them from an extended discussion on this subject. The subject of secret service money was a difficult and delicate one; but all he could say was it was totally impossible to dispense with it entirely; but the practice, the feeling, and the desire of the Government was to limit it, from time to time, as much as possible. That must, however, necessarily be done by a gradual process; because, where funds of this kind had been given, the mode of disposing of them fell into shapes which involved considerable expectations for the future. It was, therefore, a very gradual process by which the House of Commons must be content to walk if it sought to reduce the amount of secret service money annually voted. There were two things he was desirous to say. He did not think his hon. Friend, if initiated into the mysteries of this department of the public service, would find that the expenditure of this money was open to the imputations he had directed against it. But with regard to a public audit of secret service money, that amounted to a contradiction in terms. It would be very objectionable to institute a secret audit, and he should not like the Audit Commissioners to perform their work in secrecy. The principle on which Parliament had always proceeded was this—that if it was necessary to allow something in the nature of secret service money, the best mode of dealing with it rested on these two con-

ditions—first of all to confine the knowledge of it to the smallest possible number of persons, and, having thus concentrated responsibility, to trust to their honour and discretion. He did not think they could obtain a better system for the management of the thing than that. Nor had his hon. Friend, in the present state of the case, reason to be dissatisfied. Great progress had been made towards the establishment of strict economy and moderation in regard to this Vote. With the exception of six months, during which he was Secretary for the Colonies, 24 years ago, he never knew one syllable as to the administration of the secret service money. He remembered perfectly well when the sum annually voted was £38,000; then it was reduced to £32,000. It remained at £32,000 for a considerable number of years. Within the last few years it had gradually been brought down. The last sum asked for was £27,000, and this year it was down to £25,000. Until this year the Foreign Office had been entitled to retain the unexpended balance of secret service money; but in future the balance at the close of the year would be restored to the Treasury. The immediate effect of that concession, however, must necessarily be to keep up the sum voted, as there must be a small margin beyond what would be necessary to meet immediate demands. He hoped the statement he had made would save the time of the Committee.

MR. DILLWYN observed, that a voucher from the hands of the Foreign Secretary that the sum voted by the House had been expended would be quite sufficient for all practical purposes.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

House resumed.

Resolutions to be reported upon *Monday* next;

Committee to sit again *To-morrow*, at Two of the clock.

ARMY ENLISTMENT BILL.—[BILL 106.]

(Mr. Secretary Cardwell, Captain Vivian.)

CONSIDERATION.

Bill, as amended, *considered*.

COLONEL BARTTELOT said, that some of the most experienced officers were of opinion that the Secretary of State ought not to have the power of putting into the Reserve men who had served



only three years in the artillery, the cavalry, and the engineers. They thought the period should be extended to seven years. He concurred in that opinion, and, therefore, he begged to move, in Clause 4, line 25, to leave out "Army service," and insert—"the infantry, and seven years in the cavalry, artillery, and engineers."

Amendment proposed, in page 1, line 25, to leave out the words "Army service," in order to insert the words "the infantry, and seven years in the cavalry, artillery, and engineers,"—(*Colonel Barttelot*),—instead thereof.

MR. CARDWELL said, he hoped the House would adhere to the decision they had come to in Committee. The hon. and gallant Gentleman having been defeated when he brought forward a somewhat similar Motion in Committee now attempted to go still further. In Committee the hon. and gallant Gentleman moved five years.

COLONEL BARTELOT said, that the figure five got into the Amendment instead of seven, owing to the mistake of one of the clerks.

MR. CARDWELL said, that at all events the Committee decided against five years, and now the House was asked to adopt seven years. The proposal in the 4th clause was not one to fix the time the soldier should serve, but the minimum of time at which it would be competent to the Secretary of State to remove him into the Reserve if he were not further required for active service. At present the soldier was enlisted for 12 years, or as long within that period as Her Majesty might require his services. After the Indian Mutiny it became necessary to considerably reduce the Army, and no one could forget the moral effects which resulted from throwing a large number of men out of employment. The proposal in the Bill was one in the interest of the soldier and of the nation, because it enabled the Secretary of State to place in the Reserve soldiers who had served for three years. He was astonished that hon. and gallant Gentlemen who had the interest of the soldiers at heart should oppose such a proposition. No doubt it took a longer time to train a cavalry, artillery, or engineer than an infantry soldier; but that had nothing to do with the proposal. What he said was this—that it would be far better,

both for the soldiers and the public, that the Secretary of State should have power to put the men into the Reserve than, as had been done in former instances, that they should be suddenly disbanded and turned out upon the country without any provision whatever. He trusted that the House would adhere to the decision which it had already arrived at.

MAJOR GENERAL SIR PERCY HERBERT said, the right hon. Gentleman was under an entire misapprehension as to the views of hon. Gentleman on the Opposition side of the House. Those hon. Gentlemen did not wish to place any difficulty in the way of increasing the Reserve; but what they protested against was the short period of enlistment. The men should be enlisted for 10 or 12 years, and then, if it were necessary, every facility should be given them to leave the active Army at any time, and to pass into the Army of Reserve, their places in the active Army being filled by recruits. The right hon. Gentleman had got rid of a great many more soldiers than he was likely soon to get in the Army of Reserve. He had got rid of 23,000 men in the course of two years, and he (Sir Percy Herbert) wished to know if the country would not give a great deal, under the circumstances of the present moment, to have those men back again. At the present moment—and he challenged contradiction on this point—we were without a single battalion which was fit for service, or fit even to form part of our Army of Occupation for Belgium. ["Oh!"] He was quite prepared for those cries. But perhaps hon. Gentlemen were not aware that we were bound by honour and by our treaties to ensure the neutrality of Belgium, and to defend her against aggression. Had not every one seen in the papers the demand addressed by the French Government to Belgium, whether it was able to defend its neutrality, and did they suppose that the French or the Prussian Government, either of which was equally suspicious, would have asked such a question if there were a corps of 25,000 British soldiers occupying the line of the Scheldt, without menace, but with a determination to uphold the Treaty? The present Government was mainly the same as that we had 16 years ago. He repeated, what was matter of notoriety, that many impartial men were of opinion that it

was owing to the character of the late Earl of Aberdeen and the right hon. Gentleman at the head of Her Majesty's Government that the Crimean War had broken out. For the Emperor of Russia and his Minister could not believe, after the speeches that had been made, that the British Government would ever go to war. He warned the Government not to be too sure that the same thing would not occur again. A very pacific Government, which took every step and precaution to prevent its country from being in a fit state for defence was the very Government of all others which was likely to force a manly nation like England into war. Other nations knew the unprepared state of such a country, and placed affronts upon her which they would never venture to offer under other circumstances. Our regiments now mustered only 500 on paper; on parade they did not average 300, and if we were to send 25 battalions into Belgium to-morrow they would not average more than 300 each. He would, therefore, support the Amendment.

COLONEL NORTH said, he wished to see England with a good Army of Reserve; but he did not wish to see that Army created at the expense of the regular Army. He was surprised the right hon. Gentleman the Secretary of State for War had not taken a hint from the late Division on this subject. Every military man who had supported him with regard to the line, had voted against him when it was a question that concerned the cavalry and artillery. The opinion of the Army was most decidedly against the Bill.

MR. LIDDELL implored the House to discuss this measure wholly apart from the question of war, and to discuss it only from a national point of view. We had a perfect right to discuss the great question of the organization of our Army, or the creation of a Reserve Force wholly independent of any circumstances that might exist abroad. He regretted extremely to have heard an eminent British soldier (Sir Percy Herbert) whom they all respected, and whose distinguished services had been of so much value to his country, declare that there was not a single battalion of the British Army which was fit for protective services, and he hoped that it was not a well-founded statement; but he hoped the whole question would be discussed calmly, and wholly apart from those

circumstances which they all deplored, but in which they had no part, and in which they intended to take no part.

MAJOR ALLEN said, he would not allude to the question of war or no war; but he would like very much to know whether the officers of the Royal Artillery, who were competent to form a sound opinion upon such a matter as this, had been at all consulted as to the short period of enlistment which was proposed under it. From the time he had served in the Royal Artillery, he was led to believe that anything short of seven years' permanent service would reduce that branch of the profession to an utter nullity.

CAPTAIN BEAUMONT held that the special services of the Army should be dealt with distinctly from the line. What he and those who thought with him decried was that a matter which involved the success of the Army should be left to the option of any Secretary of State. With reference to his own corps, the Engineers, he knew, as a matter of fact, that the force at Chatham was for three years under instruction. Nominally it was for a year and a-half; but, from one cause or another, in practice it came to this—that the force of Engineers was three years under instruction. If, therefore, this Bill were put in force, the whole time of the Engineers would be spent practically under instruction.

SIR ROBERT ANSTRUTHER believed that the point which hon. and gallant Gentlemen wished to see carried out could be effected by the Bill.

MAJOR DICKSON said, that if the Amendment were negatived the material of cavalry regiments would be entirely destroyed, for it was impossible to make a soldier in three years. The right hon. Gentleman wished to have power to discharge soldiers in case of a war coming to a sudden termination; but that power he had already under Acts which he had stated would remain in force. Those, however, were the very men who ought not to be turned away when they were approaching the close of their service. He trusted the House would accept the Amendment.

MR. WHITWELL said, the Bill had two objects in view. One was to increase the power of enlistment, the other was to form an Army of Reserve. He believed the Bill was calculated to effect both objects. The Bill did not limit the power of the Secretary of State for

*Major General Sir Percy Herbert*



War, nor require him to discharge troops; but it only enabled him to do so if he found the men were ready to be discharged into the Reserve.

MR. SCOURFIELD said, no one disputed that more men would enlist under the Bill; but the question was, whether they would be worth having after they had got them. The opinion expressed by cavalry officers was decidedly to the effect that cavalry soldiers in an Army of Reserve would be of little use.

An Hon. MEMBER said, that if men were enlisted for so short a period as three years, power would be taken out of the hands of commanding officers to promote young hands to be non-commissioned officers, and which would have the effect of weakening the regiment. The power was not to refuse men going into the Reserve; but what was wanted was to make a man a perfect soldier and then let him join the Reserve.

CAPTAIN VIVIAN said, that hon. and gallant Gentlemen opposite seemed to think that it was the intention of his right hon. Friend to dismiss every soldier, whether infantry or cavalry, at the end of three years. As one who had served Her Majesty, he should take exception to any such provision; but there was no such intention in the Bill. Soldiers would be enlisted, as before, for a period of 12 years; but circumstances might happen which would render it desirable to dismiss a large number before that period had expired, and by this Bill his right hon. Friend would be able to release them on paying them a small retaining fee instead of being obliged to disband and dismiss them without making any payments. If hon. and gallant Gentlemen understood that, they would not oppose this clause, which would be very advantageous to the soldier.

LORD JOHN MANNERS said, he would not take upon himself the responsibility of voting against the Amendment at this juncture, as it was supported by so many hon. and gallant Members, who had a practical knowledge of the subject.

Question put, "That the words 'Army service' stand part of the Bill."

The House *divided*:—Ayes 124; Noes 79: Majority 45.

Bill to be read the third time *To-morrow*, at Two of the clock.

# GUN LICENCES BILL—[BILL 134.]

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)

## CONSIDERATION.

Bill, as amended, *considered*.

SIR HENRY SELWIN-IBBETSON moved the omission in Clause 7, line 21, after "thereof," of the words "or upon lands in the occupation of the owner of the gun."

Amendment proposed, in page 2, line 21, to leave out the words "or upon lands in the occupation of the owner of the gun."—(*Sir Henry Selwin-Ibbetson*.)

MR. C. S. READ protested against omitting these words, which were essential to the fair protection of small farmers, in whose case it was more necessary that they should carry a gun on their own lands, and he would feel compelled to take the sense of the House on the point.

SIR GEORGE JENKINSON said, the reason why the hon. Baronet wished to reverse the decision at which the House arrived on a previous occasion, was because the words would enable persons in easy means to shoot other than game, over large tracts of land, without any licence.

MR. PELL believed the Bill to be a most objectionable one, observing that the number of exemptions had been extended from two to six since the Bill had been introduced, and that other exemptions would have to be made. How, for instance, he should like to know, was it proposed to deal with a man who had changed his residence? He would certainly support in a Division his hon. Friend (Mr. C. S. Read).

MR. COLLINS said, he thought that instead of dividing now, it would be better to take the opinion of the House on the Amendment of which the Chancellor of the Exchequer had given Notice.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 34; Noes 123: Majority 89.

MR. HAMBRO moved, in Clause 7, sub-section 2, line 34, after "constable," to insert "owner or occupier or any person having a licence under this Act." Under the existing law only a police-

constable or a revenue officer could make such a demand.

THE CHANCELLOR OF THE EXCHEQUER was willing to confer such a power on owners and occupiers, but not on persons having a licence.

*Amendment agreed to.*

THE CHANCELLOR OF THE EXCHEQUER moved, in Clause 7, after line 36, insert—

“ 4. By the occupier of any lands which are cultivated solely by his own labour using or carrying a gun for the purpose only of scaring birds or of killing vermin on such lands, or by any person using or carrying a gun for the purpose only of scaring birds or of killing vermin on any lands by order of the occupier thereof, who shall have in force a licence or certificate to kill game or a licence under this Act.

“ 5. By any gunsmith or his servant carrying a gun in the ordinary course of the trade of a gunsmith, or using a gun by way of testing or regulating its strength or quality in a place specially set apart for the purpose.

“ 6. By any person carrying a gun in the ordinary course of his trade or business as a common carrier.”

*Motion agreed to.*

MR. HAMBRO gave Notice that he would move on the third reading that these exceptions be extended to those acting by the order of the persons excepted from the tax.

MR. DYCE NICOL, in moving that this Bill do not extend to Scotland, protested against any such additional tax being imposed on the Scotch agriculturists; none could be more unpopular with the middle and lower classes of that country. This Bill, as originally proposed, was a substitute for the game licence; but that being given up, it was simply an additional burden upon the industrious tenantry, with a string of exemptions, affording a fertile source of dispute, and having the still more lamentable effect of increasing that unhappy feeling which now existed in Scotland on the subject of the Game Laws, and which the speech delivered yesterday by the Lord Advocate was calculated so much to embitter. This was a tax to which the great mass of the people in Scotland would not quietly submit; and he told the Prime Minister that, highly and deservedly as his great public services were appreciated in Scotland, the manner in which its interests were now being treated was causing there a feeling of alienation from his Govern-

*Mr. Hambro*

ment and general discontent throughout the country.

*Amendment, by leave, withdrawn.*

Bill to be read the third time *To-morrow*, at Two of the clock.

#### PEDLARS' CERTIFICATES BILL.

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen.*)

[BILL 199.] COMMITTEE.

Bill considered in Committee.

(In the Committee.)

MR. M'LAREN made an appeal to the Government not to proceed with the measure at that late hour. He said that there were several Amendments on the Paper, and he had given Notice of several others which he intended to press to a Division; but so little did he anticipate the Bill going through Committee at that hour that he had only a short time previously given to the Clerk his Amendments for the purpose of having them placed on the Votes. He considered that it was most improper to proceed with the Bill at present, and that if they did so it would be a direct violation of the understanding that no opposed Bill would be taken after half-past 12 o'clock. He moved that the Chairman report Progress.

MR. BRUCE said, it had been introduced in accordance with an assurance given by the Chancellor of the Exchequer and the expressed wishes of the chief constables of counties. The Amendments, he thought, might be got through in a few minutes.

MR. MUNTZ said, he hoped the hon. Member for Edinburgh would not press his Amendment, for the Bill had become necessary as a corollary to the proposals of the Chancellor of the Exchequer.

MR. M'LAREN said, the provisions of the Bill were most arbitrary, and he protested against its being proceeded with at that hour in violation of the undertaking given by the Prime Minister. He would not give way, but would move the adjournment of the House rather.

MR. SOLATER-BOOTH said, the Bill was too important to be discussed at so late an hour.

*Motion, by leave, withdrawn.*

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Grant of certificate).



MR. M'LAREN said, that he had an Amendment to move to one of the sub-sections of this clause. By one of the provisions of the Bill, it was only the chief officer of police who was permitted to grant a certificate to a hawker. Now, according to the statement of the Chancellor of the Exchequer, it was desirable that pedlars should be allowed, without requiring any licence, to carry free trade into every little village in the country in order to enable the people distant from towns to get goods at a cheap rate. It was therefore not devised as a police measure at all; but since its introduction the views of the right hon. Gentleman the Home Secretary seemed to have undergone a change, and hence this was a mere Police Bill. Under this clause, a magistrate, whether of a burgh or a county, could not grant a certificate to any pedlar or hawker. The certificate must, in all cases, be from the chief officer of the police; so that, in point of fact, the power was entirely handed over to that functionary. He considered that such a power was of the most arbitrary character; and in some places with which he was acquainted, he knew that the chief officer of the police was entirely under the control of a small police committee, composed of men who would not allow a single person to get a pedlar's certificate to trade in the county if they could prevent it. He thought such a power might well be vested in the hands of the magistrates of Scotland, and he reminded the Committee that under the new system there would be a far stricter surveillance over hawkers than there was at the present moment, because licences by the old law were granted by the Excise, and the greatest vagabond in the kingdom could get a hawker's licence if he chose to pay the duty. In future no certificate was to be granted except by the chief officer of police who would thus have every pedlar in his power. The Amendments which he proposed, and which he had given to the Clerk to get printed, was to insert the words "or any magistrate, if the person applying for the licence be known to the magistrate to be of good character." He thought there ought to be strong reasons shown why the magistrates ought not to have this power.

MR. BRUCE said, that the question had been carefully considered, and the

magistrates after all would have to rely upon the information of the police.

MR. M'LAREN said, that he should be quite satisfied if the licence were granted by the magistrates after hearing the statement of the chief officer of police respecting the character of the applicants. If that suggestion was adopted, he would withdraw his Amendment.

Amendment proposed, in line 30, to leave out the words "chief officer of police of the police district," in order to insert the words "magistrates in petty sessions assembled."—(*Mr. M'Laren.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee divided:—Ayes 72; Noes 46: Majority 26.

MR. ANDERSON moved to insert after the words "chief officer of police," the following:—"And in case of his refusal, subject to appeal to the magistrates assembled at petty sessions."

MR. BRUCE said, that if the hon. Member would withdraw the Amendment, he would take care that those words should be inserted in the Report.

Amendment, by leave, *withdrawn.*

Clause agreed to.

Clause 6 (Effect of certificate).

MR. M'LAREN said, that he had an Amendment to move. By the clause, as it at present stood, if a pedlar got a certificate from the chief constable of a burgh it would not enable him to hawk his goods in the county in which it was situated; and if he got it in the county he could not hawk within the burgh. Now that was a decided infringement of the liberty of the subject. The pedlar had as much right, as far as he could see, to be protected against such arbitrary restrictions in carrying on his trade as any other person. The law would work in the most injurious manner. In many parts of the country he knew that there was such a strong feeling against keeping up cottages, which the landlords deemed superfluous, that poor people labouring in rural districts were obliged to come into the towns to sleep, and, of course, they bought everything they wanted before they went out into the fields to their labour. But it was for the sake of the poor people

residing in the country that the Chancellor of the Exchequer proposed to take off the licence on pedlars, that they could go from door to door and supply the wants of country people on free trade principles.

House resumed.

Committee report Progress; to sit again *To-morrow*.

#### CENSUS (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill for taking the Census in Scotland, *ordered to be brought in by The LORD ADVOCATE and Mr. Secretary BRUCE.*

Bill presented, and read the first time. [Bill 234.]

#### CORRUPT PRACTICES ACTS AMENDMENT BILL.

On Motion of Mr. BOUVERIE, Bill to amend the Acts relating to the expense of Commissioners to inquire into Corrupt Practices at Elections, *ordered to be brought in by Mr. BOUVERIE and Mr. BONHAM-CARTER.*

Bill presented, and read the first time. [Bill 235.]

#### IRISH LAND BILL.

Reasons for disagreeing to the Amendment made by The Lords to the Amendment made by this House to Clause (D) *reported, and agreed to.*  
To be communicated to The Lords.

House adjourned at half after  
Two o'clock.

### HOUSE OF LORDS,

*Friday, 22nd July, 1870.*

MINUTES.] — SELECT COMMITTEE — University Tests, The Lord Rosebery *added.*

PUBLIC BILLS—*First Reading*—Elementary Education \* (235); Army Enlistment \* (236); Dublin City Voters Disfranchisement \* (237); Gun Licences \* (241); Clerk of the Peace (County Palatine of Lancaster) \* (242).

*Second Reading* — Paupers Conveyance (Expenses) \* (208).

*Committee*—Life Assurance Companies \* (190-239); Magistrates, &c. Election (Scotland) \* (187-240).

*Report*—Pier and Harbour Orders Confirmation (No. 2) \* (188); Gas and Water Facilities \* (222); Judicial Committee \* (224).

*Third Reading*—Evidence Further Amendment Act (1869) Amendment \* (75); British Columbia \* (123); Married Women's Property \* (223); Tramways \* (226); New Zealand (Guarantee of Loan) \* (207), and *passed.*

#### CANADIAN FRONTIER—CANADIAN VOLUNTEER MILITIA. — RESOLUTION.

THE EARL OF CARNARVON: My Lords, when I placed on the Paper the Resolution I am about to move we were in ignorance of the great events which

were about to burst upon us. Had I known what was coming I might, perhaps, have refrained from giving that Notice; but, under all the circumstances of the case, I do not regret having done so, because it will tend, I think, to show to your Lordships the necessity of being prepared to meet contingencies which we cannot at present foresee. We are at the commencement of a great European war. We trust we may not be involved in it; but the extent to which it may develop itself no man can possibly foretell; and it is, therefore, I conceive, but common prudence that at such a crisis we should endeavour to set our House in order, and prepare ourselves for whatever eventualities the future may have in store. It is in the recollection of every one how five or six years ago Fenianism came into existence. After having struggled in vain for some time in Ireland to give effect to the spirit of disloyalty and disaffection, baffled and crippled, it took refuge on the other side of the Atlantic, and in 1866 an invasion of considerable magnitude broke on the Canadian frontier. The circumstances and results are too well known to make it necessary that I should recapitulate them. Fortunately there was a large number of British troops there, and the spirit of the Canadian Volunteers was excellent. The invasion was immediately repelled, and the schemes of the Fenians were baffled. In the following year assassination was substituted for open attack, and there occurred the murder of Mr. Darcy M'Gee, one of the most eminent Canadian statesmen, under the instigation of Fenian conspirators. Since then there have been repeated warnings from time to time along the Canadian frontier, and within the last few months once more an attempt at Fenian invasion was made. On the 22nd of May a concentration of Fenian levies commenced, arms and ammunition were served out, and a so-called General assumed the command. On the 25th an attack was made, but it was happily baffled without loss of life to any of our own troops or to the Canadians engaged. On the following day the attack was renewed, when it was again repulsed. The United States Government issued a proclamation during the course of these proceedings, warning their people against allowing themselves to be mixed up in these movements; and after the first de-

*Mr. M'Laren*



feat they arrested the Fenian general. They also sent troops to the frontier on the occasion of the second attack. I think that, looking to these facts, we must be sensible of the intentions of the United States' Government. We may regret that it was beyond their power to send troops to the frontier in sufficient time to stop the attack altogether, but their good intentions were marked, and anyone conversant with American affairs knows the political difficulties by which the United States Government are surrounded in such a case. If, however, there is any room for regret on the ground of delay in respect of the conduct of that Government, there can happily be none as to the conduct of the Canadian Volunteers. Some of them, at a few days' notice, called away from their various occupations, men whose time was money, and who freely ventured their fortunes and their lives on the issue without a moment's hesitation—without the default, I believe of a single individual—one and all repaired to the post of duty. They acted, as they were sure to do, with the utmost spirit and gallantry. And happily they did not stand alone; for on that occasion a young Prince, the son of our Sovereign, influenced by that spirit of courage which has never been wanting to his race, marched with the English troops fortunately not yet withdrawn from Canada, and added fresh confidence to the ranks of the Canadian Volunteers. On that day the Empire and the Crown were both represented, and Canada felt that she was an integral part of the Empire. I have, therefore, with little fear of a refusal, to ask your Lordships to agree to this Resolution—

“That this House has learnt with satisfaction that Her Majesty's regular troops were united with the Canadian volunteer militia in their prompt and vigorous efforts in defence of the Canadian frontier of the Empire from the recent so-called Fenian invasion.”

But it has been hinted to me that Her Majesty's Government find some difficulty in assenting to this Resolution. I shall deeply regret should this be the case. I have endeavoured so to frame it as to avoid any possible cause of offence, and to render it easy for them to accept it. I shall deeply regret if this Resolution is opposed by Her Majesty's Government, both for the effect it may have in this country and still more in

Canada. I am indeed totally at a loss to understand on what ground the Government can find fault with such a Resolution, which expresses an almost universal opinion, and which contains not a single word that is not an admitted fact. Until, then, I hear from the lips of my noble Friend the grounds of his objection, I shall not take up the time of the House upon this point. My first object in bringing forward this Motion is to render the acknowledgments which are due not only to the troops, but to the Canadian Volunteers for their gallantry; but my second object, which I approach with much greater difficulty, is to indicate to the House and the Government what I believe to be the feeling at this moment of the people of Canada. Now, everyone who knows anything of Canadian matters, knows that if there is a people with whom loyalty is not a mere profession it is the Canadians. They have grown up in feelings of loyalty to such an extent that it has become a ruling and an almost passionate sentiment. My knowledge of Canada runs back now for many years, and I can testify that the Canadians, in point of loyalty and devotion to the Crown, are absolutely more English than the English themselves. But with this feeling that ever animates them there is mingled at this moment another feeling—a feeling of great soreness and irritation. Now, what is the cause of that? I believe the cause to be a belief—though I trust that it is totally unfounded—that it is the settled policy of the Government of this country to abandon, as far as possible, their connection with Canada. That belief rests not so much upon words spoken as upon acts which are supposed to indicate the policy of the Government—it is supposed to be corroborated by the withdrawal of our ships from the neighbouring waters—a step which I regret, because if there is one question of Imperial rather than of colonial policy, it is the presence of English ships at the fisheries—and by the withdrawal of our troops from Canada. I wish I could think that I was labouring under a mistake in respect to this feeling on the part of the Canadians; but I found my conviction on this subject not only on letters which I have received from men whose honour and knowledge is undoubted—not only on the statement

of friends of long standing who have communicated with me—not only upon the representations of newspapers of every shade of political opinion—but also upon the meetings which have been held and the addresses to the Crown which have been adopted. One and all believe—I trust wrongly—that there has been more or less an intention on the part of Her Majesty's Government to depart from the connection with Canada, and throughout the length and breadth of Canada there is a feeling of deep and intense soreness. At the commencement of the Session I ventured to warn the noble Earl, who was then Secretary for the Colonies, that Fenian attacks on Canada were not impossible this year, but he ridiculed the notion.

EARL GRANVILLE: I beg the noble Earl's pardon. He alluded to attempts which were being made, and I said I had not heard of them.

THE EARL OF CARNARVON: I think that, if the noble Earl looks back to the records of the time to which I advert, he will find that he threw the utmost discredit on the possibility of an attack on Canada by Fenians.

EARL GRANVILLE: Certainly not.

THE EARL OF CARNARVON: Well, I am bound by the noble Earl's disclaimer; but, at all events, I was alive at that moment to the serious risk of a Fenian invasion, and I at the same time pointed out the feeling of soreness which I believed to exist in the minds of the Canadians at the supposed policy of Her Majesty's Government. That feeling, I grieve to say, has since increased in intensity; and I must own that there are reasons why it should exist. Every Spring, since 1866, there has been the threat, at least, of Fenian attacks. Every year, more or less, Canada has been placed in great difficulties and exposed to great expense. So long as she knows that she has the entire sympathy and support of this country those difficulties will be cheerfully borne; but if doubts are allowed to arise on this vital point, then it is natural enough that her feeling should be one of anxiety and dissatisfaction. If every year French troops or Volunteers were drilling at Havre with the avowed object of invading this country, we should have reason to expect the deepest soreness in England; yet that has been precisely the case with Canada for the last four or five

years. Moreover, it must be remembered that, whatever may be the cause of Fenianism, Canada suffers from it entirely through her connection with us. No reasonable man can doubt that if Canada were not attached to the British Empire Fenianism would leave Canada alone. And I fear that unless this feeling is checked it may grow. I know that there are some persons in this country—a very small section—who believe that the connection with Canada is one of trifling importance to us. But your Lordships will not be misled for a moment by such an idea. It is sometimes argued as if it were a question of the independence of Canada; but it is and must be a question of annexation to the United States. And what does annexation mean? It means to this country the loss of the fisheries, the loss of the great commercial marine of Canada, numbering nearly 40,000 sailors, the loss of every port on that Continent, the loss of trade, which may be ten-fold that which exists at the present moment, the loss of staunch allies, the loss of a great Empire. Moreover, it is not only a positive but a relative loss, for it means the addition to the United States of all these elements of power, and the departure of Canada with feelings of irritation and illwill towards us. God forbid that that should ever happen! Some, no doubt, may say that such things should not even be hinted at; but there are times when it is right the truth should be told, that men may see the drift of circumstances, and not disregard the warning of facts. Supposing such a catastrophe to occur, what would History say of us? It would proclaim that we were more stupid, more infatuated than the men who 100 years ago threw away the United States. It would say, and say justly, that we sinned with our eyes open—that we had had every warning which reasonable men could look for, and that we had entirely disregarded them. And what would Canada say? She would say that we had encouraged her in confederating the British North American Provinces, and that when we had induced her to adopt that great measure of policy in an unworthy and pitiful manner, we washed our hands of the responsibility. And lastly, what would this country say? She would say that while she had placed in power the strongest Government that



had existed for years, that Government deliberately allowed to be alienated hearts than whom there were none more loyal throughout the Empire; and that Parliament, while discussing details of legislation like a parochial vestry, had lost or destroyed the greatest Empire the world had ever seen. I venture to say that a Government of which that could be said would not be worth six weeks' purchase. I do not, however, wish to wrong Her Majesty's Government, and I hope that false intentions have been attributed to them; but I say that if there ever has been the slightest intention on their part to abandon Canada they do not represent the feeling of England, which is just as English in this matter as it has ever been. As long as Canada clings to England, loves the English connection, and is prepared to submit to sacrifice and danger—greater indeed than we are likely to be called upon to submit to—England will never allow one inch of Canadian soil to be surrendered or sacrificed. This leads me on to the question of the withdrawal of the Imperial troops. In the early part of the Session I pressed the noble Earl, who was then at the Colonial Office, to state the views of the Government on that subject, and I heard with grief that, in their opinion, the time had come for the entire withdrawal of the troops from Canada. On asking him again later in the Session, when this Fenian invasion had occurred, nearly the same question, the noble Earl stated that Her Majesty's Government had consented, at all events, to suspend the order for the recall of the troops. I rejoiced at that announcement; and my earnest hope is that the Government may carry that intention a little further, and delay for a still longer time a withdrawal which I am convinced will be fraught with deep mischief—a withdrawal which is not only unnecessary to any part of their colonial policy, but to which they are pledged by no conceivable reason—not even by the Report of the House of Commons' Committee, which sat six or seven years ago on Colonial Administration. I object to the withdrawal of the troops as unjust to Canada and highly inexpedient to the interests of the Empire. I say unjust to Canada, because you have encouraged her to enter into this great Confederation; and I venture to say that if, when that measure was before Parliament, it had been

announced that its immediate result would be the withdrawal of every British regiment from Canada except a garrison at Halifax, it would not have been sanctioned by Parliament, and certainly would not have been accepted by Canada. You have induced her, moreover, on the faith of her connection with England, to lay out the Intercolonial Railway on military principles, to devote upwards of a million for fortifications, and to incur a great annual expense in training her Militia. You have from the same point of view imposed, directly and indirectly, many burdens on Canada, and Canada has made no mean return. She has freely accepted each burden and responsibility. She has no desire that all her charges should be paid for her. On the contrary, in this Red River Expedition she has cheerfully consented to supply three-fourths of the men and three-fourths of the money. She has consented to station ships at the fisheries in lieu of those you have taken off. She has embodied for permanent service for the next two years two entire regiments, which at the end of that time will be as completely organized and as effective as any Imperial troops. She has declined no military charge or expense. She has formed schools of practical instruction for her officers, and at this moment, at considerable cost, is prepared to form great military camps. It may, but I trust it will not, be said that because Canada has done so much, therefore we may do very little or nothing. That would be an argument unworthy of this country and this House. I know, indeed, it is said that you expect Canada to provide for her internal defence. She is prepared to do so, and has never dreamt of anything else. But I maintain that Fenianism, proceeding from the American border, cannot be classed under the head of internal defence and order. In the interests of the Empire, I assume that you wish to retain Canada as an integral part of the Empire; but every military man knows well that it is not safe to trust entirely to any Volunteer or Militia force, however gallant it may be. You must have regular troops, it may be in very small proportions, a mere handful—and I would gladly leave the Government to decide the proportion—but you ought to have a certain proportion of regular troops, in order to give moral support and confi-

dence to the Volunteers and to form a nucleus round which they may rally at any time. This is the view of every officer of eminence, and of some of the highest authorities in this country. Before the House of Commons' Committee to which I have referred the Duke of Newcastle and Lord Herbert laid down that principle. They never contemplated the entire withdrawal of Imperial troops, but they thought that two or three regiments should remain as a nucleus round which Volunteers would be collected. You say you intend to retain Halifax as an Imperial fort; but does anybody believe that to maintain Halifax will be sufficient? It would be exactly like a man locking his front door and leaving every window and back door open for persons to walk in at. It is true troops might, under favourable conditions, be sent from Halifax to Quebec or any threatened point; but we are in the habit of forgetting how great the distances are in Canada. Under very favourable circumstances, it took the Imperial authorities five or six days at the time of the *Trent* affair to convey troops by land from Halifax to Quebec. It is true that the Intercolonial Railway will facilitate the movements of troops; but till its completion you must send them by road and along the frontier:—and I would therefore urge the importance of maintaining a certain proportion of regular troops, let it be ever so small, till the completion of that railway. Retain, if you please, but one regiment at Montreal, and under any circumstances a regiment of infantry and one battery of artillery at Quebec. In two or two and a-half years the railway will be completed, and you may then reconsider the whole question. And I urge this the more strongly as this country has already expended, I think, £250,000 on the fortifications of Quebec, and the Canadian Parliament have already voted a very large sum to add to those fortifications. That regiment of infantry and battery of artillery would form a practical school of instruction for all the troops which may be raised in Canada. Remember, also, that Quebec with these fortifications has become a place of no mean strength. He who holds Quebec probably holds Canada; and to any objection that the troops might be cut off or jeopardized my answer is first, that the force I ask is really insignificant, and next

that anyone who has studied the question knows that Montreal is supported by Quebec, Quebec by Halifax, and Halifax—the base of our operations—by the naval supremacy of England—so that there is a complete chain from one to the other, which ought to insure the safety of the troops. Discussion on this subject may be very disagreeable to Her Majesty's Government, but I am convinced that within the whole wide range of English politics there is no question which possesses greater importance. It is really the question of the Empire which is at stake—an Empire greater than any ever conceived by the mind of man—greater perhaps than the strength or wisdom of man has ever before formed. Our possessions in the Western Hemisphere alone amount to an Empire. You have a boundless tract of territory which is open to every English subject—a territory where every Englishman can go freely and settle, buy land, and attain every step in civil life as freely as he can in England—a land where emigration is welcomed, where pauperism is almost unknown, where the English language is spoken, and where English institutions flourish; nay, more, a land where the practical difficulties of maintaining the connection with this country are day by day diminishing, and which steam and electricity and all the appliances of modern science are bringing into closer relations with us. On the other hand, our relations to Canada have been and are political rather than colonial. It is the only one of our Colonies whose border is continuous with a great foreign Power. Those relations must, therefore, be political, and on the horizon of Canada clouds must from time to time appear. Hence it is incumbent on the British Government to devote more than usual care and trouble to Canada—a task worthy of English statesmen and the English Parliament. But what is really required is very little—only a few words and a few slight acts. Let Her Majesty's Government so speak that Canada may feel that she is an integral part of the British Empire, and that as long as she clings to the connection and is prepared to endure sacrifice and peril for it she is as much a portion of the Empire as any English county; and let the Government by their Acts, however slight, show every foreign nation, in the words of Mr. Canning, that



where the flag of England flies there foreign domination shall never come.

*Moved* to resolve, That this House has learnt with satisfaction that Her Majesty's regular troops were united with the Canadian volunteer militia in their prompt and vigorous efforts in defence of the Canadian frontier of the Empire from the recent so-called Fenian invasion.—(*The Earl of Carnarvon.*)

THE EARL OF KIMBERLEY: My Lords, in all that my noble Friend said at the commencement of his speech, as to the conduct of the Canadian Volunteers, I need hardly say I most cordially agree. Nothing could exceed the efficiency, the promptitude, the energy and discipline which they displayed in repelling the most unjustifiable and wanton aggression to which they were subjected by the Fenians. My noble Friend (Earl Granville), while holding the Office which I have now the honour to fill, more than once expressed his sense of their conduct; and I will take this opportunity of reading and laying on the Table the despatch in which my noble Friend recorded the opinion of Her Majesty's Government on their services. It is dated the 5th of July, and is addressed to Sir John Young. It runs thus—

"I have the honour to acknowledge the receipt of your despatch, No. 132, of the 9th ult., with its enclosures relating to the recent Fenian raid. I have read with sustained interest the graphic accounts given by Colonel Smith and Colonel Bagot, of the two affairs which resulted in the repulse and rout of the Fenians on the Missisquoi and Huntingdon frontiers. I have sincere pleasure in acknowledging the conduct of the officers, the courage, alacrity, and discipline of the Volunteers and Militia, and the zeal and helpful enthusiasm of the farmers and country people on both the points of attack. The discredit and ridicule attaching to these marauders on account of their signal overthrow when they had scarcely crossed the frontier must cripple, if not utterly destroy the means of re-organizing expeditions as wicked and unjustifiable in their conception as they have proved to be feeble and unsuccessful in their execution. The genuine admiration of the spirit and behaviour of the Canadian levies which pervades the reports of Colonel Smith and Colonel Bagot is the best evidence that their easy success is not so much due to the character of their opponents as to the intrinsic qualities of the Canadians—the promptitude, courage, and intelligence which makes individuals distinguished and a nation great."

I should, indeed, regret it if the Government had been grudging in their expressions of admiration at the conduct of the Volunteers. The Resolution of my noble Friend (the Earl of Carnarvon)

coupled with the Volunteers the regular troops, who had on that occasion very little opportunity of displaying the gallantry which always characterizes them. They undoubtedly did their duty and gave their support to the Volunteers; but the whole part they took consisted in one company being engaged in a very slight skirmish. My noble Friend has rightly anticipated that I should not be able to assent to his Resolution. The grounds on which I ask the House not to assent to it are very simple. In the first place, it appears rather singular that my noble Friend, with his genuine admiration for the conduct of the Volunteers, should by a side wind rather imply that had the regular troops not been present they would have been unable to repel the attack. [The Earl of CARNARVON said, he certainly had no such meaning.] The words of the Resolution are certainly open to that interpretation. My second objection is that, however stronger our feelings may be of the services performed by the Volunteers, we must measure the occasion by what actually occurred; and considering that this was a raid of certain marauders in time of peace, who were driven back, after they had advanced only a few hundred yards over the frontier, in a way as discreditable to them as it was creditable to the Volunteers, it would be very unusual and quite contrary to precedent that this House should by solemn declaration record its sense of the services of the troops and Volunteers for such an action. If, therefore, my noble Friend perseveres with his Resolution, I shall be obliged to move the Previous Question. As to the general topics on which my noble Friend adverted at great length, it is very difficult to satisfy him on these questions of colonial policy. He has more than once asked what policy the Government intended to pursue as regards the withdrawal of troops from the Colonies, and declarations from this side are of exceedingly little use to him, for he invariably returns to the charge by saying that not much weight can be attached to them. When he insists so strongly on the impolicy of withdrawing troops from the Colonies as dangerous to the integrity of the Empire, I am bound to remind him that when he himself, as Colonial Secretary, recommended the withdrawal of the troops, he did not consider it as an abandonment of

the Colonies, though now when Her Majesty's Government recommend the same course, he holds that it means the reverse. I only ask that the same measure should be applied to us as to him. My noble Friend insisted in the strongest terms on the withdrawal of the troops from New Zealand.

THE EARL OF CARNARVON: I consented that they should remain on certain conditions.

THE EARL OF KIMBERLEY: I do not wish to raise a New Zealand debate. No doubt that was so; but my noble Friend consented that they should remain on certain conditions, which not being complied with, he said that it would then be necessary to pursue that policy of withdrawing the troops which he now declares to be so fatal to the best interests of the Empire. So with regard to the Cape Colony. My noble Friend said the number of troops must be gradually reduced to a certain point, and that if the Colony, which was in considerable commercial difficulties, would not consent to pay for the remaining regiments they must all be withdrawn. Now, I must ask whether that line of argument and action is consistent with the present argument for the preservation of the Empire, regardless of the interests of this country? I am far from saying that the principles which he laid down at the close of his speech should be disregarded. My noble Friend says that considerable soreness and dissatisfaction exists in Canada on this subject, because the Dominion is exposed to Fenian attacks. I was curious to see how this dissatisfaction was connected with Her Majesty's Government. My noble Friend did not connect it; but it is only natural that the Canadians should feel dissatisfaction and soreness at these unprovoked incursions—a feeling, indeed, which is shared by Her Majesty's Government and by this country. My noble Friend then next referred to the apprehensions which existed that the Government were about to abandon that great Colony, and to sever her connection with the mother country. Now, I am very well aware that I cannot hope to persuade my noble Friend to the contrary, because all the repeated declarations which have been made that the Government have no such intention have failed to satisfy him. I really am not aware that any English statesman has

ever entertained such an intention, and it would exceedingly surprise me if any ever should, or should pretend that we could absolve ourselves of our obligation to defend Canada in case she should be in danger of a foreign war. That obligation rests upon us in connection with the whole Empire, and I am quite certain that it would be discharged by whatever Government might hold Office. In the minor arrangements, however, which we might think it our duty to make in time of peace, we must be allowed a certain discretion, and it has been thought by military authorities here that a greater concentration of troops would be advantageous not to this country alone, but to the defence of the whole Empire; and I have yet to hear that when the defence of a great Empire has to be undertaken, a concentration of troops can be called a measure of abandonment. In the other measures which we have taken nothing has indicated a want of respect to that great Colony or a disregard for its interests. I will not repeat the recent statements of my noble Friend (Lord Northbrook), as to the supply of arms and guns without cost, but I may mention that, in the faithful discharge of our obligations, we are about to guarantee a loan to Canada for the purpose of certain fortifications which she proposes to erect, for which purpose a Bill has been introduced into the other House. We have undertaken a guarantee in connection with the Intercolonial Railway, and according to the best information it will be finished in two years, which is very satisfactory. In the matter of the fisheries, in which both we and Canada are deeply interested, my noble Friend seems to think that no British ships are stationed there.

THE EARL OF CARNARVON: I stated that a considerable portion of the ships had been withdrawn, and that the prevalent belief was that they would all be withdrawn.

THE EARL OF KIMBERLEY: My noble Friend appears to share many prevalent beliefs which are unfounded. As a matter of fact, I may say that we are in constant correspondence with the Admiral on that station, and that such a force will be maintained as, in conjunction with the Canadian force, may be necessary. That question undoubtedly is one of great importance, as well as of considerable difficulty; but I hope the House will accept the assurance that



we are disposed to take care that the fisheries are properly protected. Nor is it true, as a matter of fact, that Canada has altogether been denuded of troops. My noble Friend (Lord Northbrook) only a few nights ago gave a full and frank explanation of the course the Government intend to pursue. Two battalions are now there, and it is the intention of the Government not to withdraw the whole of the troops from Quebec until next year. But the Government is most anxious that it should always be borne in mind that whatever aid may be given to Canada by the mother country in the event of a serious conflict, the defence of the Colony must to a very large extent be left in her own hands and to her own exertions, and there is nothing in that point of view more admirable or satisfactory than the evoking of the military spirit of the Canadians. Nothing will increase the security of Canada so much as the growth of a military spirit and the efforts made by Canada to place her people in such a position that, if the time comes when we shall have to take part in its defence, there may be such a powerful force and such a military spirit as may enable us to undertake it with some prospect of success. The Government have at least a right to say that their policy has not diminished the spirit of the Canadians, for that spirit was never higher than it is at present. While deeming it unnecessary that the House should pass a special Resolution in reference to this miserable raid, I think the matter is of very great importance as an augury of the spirit with which the Canadians would loyally and enetically repel any attack on their frontier, and of the support which the whole Empire might expect to receive from them in any emergency.

THE DUKE OF CAMBRIDGE: My Lords, I hope I may be permitted to say a few words on this occasion. I do not intend to make any observations on the political or military question, but simply to express my sense of the loyalty and devotion with which the Canadians, as a people, have behaved on this as on every other occasion. Whatever difference of opinion there may be as to keeping a garrison at Quebec, there cannot be among Englishmen any two opinions on this point—that the Canadians have taken a pride in showing their loyalty, their attachment to the Throne, their

affection for the old country, and their strong desire that the bonds which have so long united them to us may be strengthened rather than severed. The Fenian raid—this “miserable raid,” as my noble Friend has well termed it—has been the happy means of bringing out the military character of the Canadians greatly to their credit. The more that spirit of self-reliance which they have so eminently displayed is evoked—and not only among the Canadians, but among all other classes in all parts of Her Majesty’s dominions—the better it will be for the Empire at large, and the more it will be to the advantage and benefit of the Colony itself. That spirit of self-reliance and those loyal principles ought to be, and I am sure will be, encouraged by this House and by the country. I have great satisfaction in being able to express my appreciation of the loyalty displayed by the Canadians on this occasion, and my high sense of the Militia and Volunteers—not those of Canada only, but of this country also, who I am sure would distinguish themselves by equal zeal and gallantry, should any call unfortunately be made upon them as has been made on the Militia and Volunteer Forces of Canada. Without the slightest desire to express an opinion on a political or military question—for it will be my duty to carry out the instructions of Her Majesty’s Government, whatever they may be—I hope to be permitted to say the Volunteers, the Militia, and the regular troops must have been gratified at having been associated on this occasion. I am sure the loyalty and good feeling which were exhibited by the Volunteers and the troops on that occasion were such as will always continue to exist among them when placed in a similar position, and the result, I hope, will be to knit more closely still those ties which bind the people of Canada to the mother country, and that friendship which they entertain towards the forces of the Imperial Government.

THE EARL OF MALMESBURY said, that if the speech of his noble Friend who brought the question forward (the Earl of Carnarvon) had no other result, his Motion would not have been made in vain if it should have no other consequences than to have brought forth the expression of opinion which had just fallen from the illustrious Duke, whose words he was sure when they were read

by the Canadian people would prove to them that their conduct and courage were duly appreciated not only by his Royal Highness, who was conversant with military matters, and who being a near relative of Her Majesty had doubtless in what he said spoken the sentiments entertained by the Sovereign herself, but by the country at large. In reference to the Motion itself, he must say that the opposition offered to it by the Government astonished him greatly—indeed, it seemed to him to convey a compliment to Her Majesty's Ministers. But he was particularly surprised at the reasons which had been advanced by his noble Friend the Secretary for the Colonies for opposing the Motion. The noble Earl objected to the wording of the Resolution, and argued that it was capable of being so interpreted as to imply a sort of slur on the Canadian Volunteers, and as conveying the idea that their success was due to the fact that some of Her Majesty's regular troops were present. Now, on critically examining the terms of the Motion, he was rather disposed, taking it literally, to put upon it a somewhat opposite interpretation—namely, that Her Majesty's troops would not have succeeded had they not been associated with the Volunteers. That was, however, a very puerile way of regarding the matter. The real question was, was that House or was it not prepared to pay a compliment to the Canadian Volunteers and the regular troops who were united with them for their gallant conduct? If their Lordships were of opinion—as they could hardly fail to be—that such a compliment would be highly appreciated in the Colony, why, he would ask, should they refuse to pay it? It might be true, as had been said, that the attempt made by the Fenians was not a very serious affair; but it might have been so, and the Canadian Volunteers could not possibly have known whether it would have been so or not beforehand—the Canadian Volunteers went to the front prepared to resist any hostile force however strong it might be; and had the invaders been 10 times more numerous they would have encountered the same gallantry. Why, then, for some indirect reasons urged by the noble Lord the Secretary for the Colonies, should the House grudge them a compliment which, by their behaviour, they had merited? His noble Friend

*The Earl of Malmesbury*

had made some remarks about the dissatisfaction which was said to exist in Canada with regard to the withdrawal of the troops, and the noble Earl (the Earl of Kimberley) said he was not aware of any dissatisfaction on that score. He (the Earl of Malmesbury) must suppose that, in the exercise of his official functions, his noble Friend sometimes thought it desirable to read the Canadian newspapers. If so, he could send the noble Earl some documents which would show him that the dissatisfaction prevailing in Canada on the subject was strong and deep. The noble Earl went on to speak of the concentration of troops being a great advantage to the Empire. He (the Earl of Malmesbury) should not certainly, in the presence of the illustrious Duke and other noble Lords experienced in military matters, venture to give an opinion upon the military bearings of the question; but, speaking as a civilian of the policy of concentration, which he supposed meant the concentration of the Imperial troops in England itself for the purpose of maintaining a larger Army at home—he would observe that the “concentration” of force within our own boundaries would not be long without attracting the attention of that party in the House of Commons, of whom it was not unfair to say that they objected to a standing Army altogether, and who would soon proclaim that our military force was unreasonably large and ought to be diminished. It would be well to bear this in mind when the question of “concentration” was under discussion.

LORD LYVEDEN said, that the Resolution, according to the ordinary rules of construction, was only capable of the meaning that their Lordships thought it very lucky that there were Queen's troops present to assist the Canadian Volunteers on the occasion in question—a Resolution which could scarcely be called very complimentary to the Volunteers. He was well aware, he might add, of the courage and energy of our troops; but he would have been pleased if the Canadian forces had been left to cope alone with the incursion of a number of intoxicated Irish emigrants—for to call that miserable raid an invasion would be ludicrous. But he was of opinion that the Resolution was a reprehensible novelty, and while it did not in reality convey a compliment to the



Canadian forces, it was of so unusual a character to place on the records of the House that it ought to be withdrawn. The only real compliment was the speech of the illustrious Duke. If it were thought necessary to do anything more, it ought to be done in the usual form of a Vote of Thanks. As to the more general question which had been raised, he could only say that he did not believe any statesman worthy of the name had any idea of abandoning Canada. There was no pretext for the imputation merely because on such a point of detail as the disposition of our regular forces Her Majesty's Government had come to a decision unpalatable to the Canadians. The noble Earl, even, who brought forward the Motion (the Earl of Carnarvon) did not go the whole length of the views which he had expressed, for if he wished to provide any really effective defence for Canada we must keep up there some 10,000 or 20,000 men; whereas he asked for only one or two regiments, which could be of no great use, except in the way of example and advice in military matters. The maintaining of a large force in Canada was, indeed, now deprecated on all sides, for it was quite clear that if attacked at all she would be attacked simply as forming part of the British Empire. As to the soreness which the noble Earl (the Earl of Carnarvon) had spoken of as existing in the Colony, he could only say that he had not heard anything of it; while the Government were, he believed, perfectly satisfied that the loyalty of the Canadian people had undergone no diminution because of our recent policy. He thought the speech of the noble Earl was ill-timed and injudicious, because it conveyed the impression that there existed a bad feeling between the Colonies and the mother country; and he trusted that, for the reasons given by his noble Friend the Secretary for the Colonies, their Lordships would reject the proposal which the noble Earl had made.

THE DUKE OF RICHMOND: My Lords, I rise principally for the purpose of protesting against the remarks made by the noble Lord opposite (Lord Lyveden). He says it may be gathered from my noble Friend's speech that there is a bad feeling between the Colonies and the mother country. Now, I

venture to challenge the noble Lord to point to any part of that speech which will bear such an interpretation. I shall not follow the noble Lord into the reasons he adduced to show that it would be more conducive to the safety of Canada and to the protection of her interests if there were no Imperial troops in the Colony; but he also found fault with my noble Friend's Resolution on the ground that it was deficient both in grammar and reason; and he repeated the remark made by the Secretary for the Colonies that the Resolution was a slur upon the Canadian people, as the inference to be drawn from it was that the conduct of the Canadian Volunteer Militia would not have been satisfactory if they had not been allied with the Imperial troops. I venture to think, however, that there is no foundation whatever for such an assertion. The Resolution says—

"That this House has learnt with satisfaction that Her Majesty's regular troops were united with the Canadian volunteer militia in their prompt and vigorous efforts in defence of the Canadian frontier of the Empire from the recent so-called Fenian invasion."

Surely the "prompt and vigorous efforts" did not relate to the Imperial troops alone, but to the combination of forces in the Colony. In fact, there is nothing in the Resolution, from beginning to end, which casts a slur upon the Volunteers. The noble Lord also says that the Resolution is of a novel character, and that your Lordships ought to move a Vote of Thanks if it be necessary to do anything at all. I cannot, however, think that the Resolution is a "reprehensible novelty," as the noble Lord terms it. I think we cannot too highly praise the conduct of the Canadians on the occasion referred to, and I believe they would join our troops in repelling an invasion with the greatest satisfaction and pleasure, because they would feel that, by being associated with the Imperial troops, they were to that extent associated with the mother country, between which and the Colony there always had been, and I hope there always will be, the greatest cordiality of sentiment. Before I sit down, I wish to make a very few remarks on some of the statements made by my noble Friend the Secretary of State for the Colonies. In the commencement of his speech he told us that he cordially concurred in everything my noble Friend (the Earl of Carnarvon)

said respecting the conduct of the Canadians. He said they had done all they were called upon to do; and I expected he would have gone on to say he saw no objection to the opinion stated in the Resolution. Instead of doing so, however, he announced his intention of moving the Previous Question—which means that he declines the responsibility of giving any opinion on the subject. It is impossible that there can be a more illogical conclusion to the remarks with which he started. I was very much struck by the line of argument taken by the noble Earl in order to show that all our troops ought to be withdrawn from Canada. He led us to believe that this was a great military movement, and that by way of assisting the Colonies we were about to concentrate all our forces in this country. But by this minor arrangement you will, in my judgment, so reduce the Army that there will be some difficulty in bringing it back to that condition of efficiency which is so desirable in the present state of public affairs. For these reasons I cordially support the noble Earl's Motion—for I must say that although I listened with great attention to all the remarks which fell from my noble Friend the Secretary of State for the Colonies, he has altogether failed to convince me that there is any justice or wisdom in moving the Previous Question on the present occasion.

EARL GRANVILLE: My Lords, the noble Earl who brought forward this Motion (the Earl of Carnarvon) stated that it was most desirable to have discussions in this House on colonial matters. I cannot say, however, that I quite agree with him on that point. I think discussions on colonial questions are of great importance, and when properly conducted they may be of great use; still, I certainly do think it is not desirable that a noble Earl speaking with great authority in this House, having formerly been Secretary for the Colonies, should come forward day after day and charge the Government—or rather insinuate that the Government—have other objects than those which they declare they have. I do not care for this as far as your Lordships are concerned; but in the Colonies it has great influence, and is a chief means of producing what the noble Earl calls soreness on the part of the Canadians. As a marked accusation has been brought

against me, and as it is entirely unfounded, I will repeat what I said at an early period of this year, when this question was very fully discussed. First of all I made a declaration that if any one of our Colonies were attacked by a foreign enemy the whole force of the Empire would be exerted for its protection; but I added that against Fenian raids and filibustering expeditions a Colony like Canada could defend itself. My noble Friend argues, however, that when our troops are withdrawn from the Colony the Fenians will take courage and attack the Canadians. Why, instead of that being the case, they selected a time before the troops began to move in order to make that attack, which was so miserably attempted and so admirably repelled. I have twice this Session explained the general principle of concentrating troops not in this country exclusively, but also in certain Imperial stations and fortresses where they may be of great use. Into that question, therefore, I will not enter at the present time. And as to the Motion under discussion, I do trust it will be generally admitted that my noble Friend was right in moving the Previous Question. Some objection may certainly be raised against the grammar of the Motion; for while two noble Earls think it conveys an opinion that the Colonial troops could not have succeeded without the aid of the Imperial troops, the noble Lord on the other side took an opposite view, and said he thought it meant that the Imperial troops could not have succeeded without the aid of the Colonial troops. Six years ago the noble Earl opposite was reported to have said—

“The feeling of the country has been unmistakably manifested against the Bill”—

THE EARL OF CARNARVON: What Bill?

EARL GRANVILLE: The New Zealand (Guarantee of Loan) Bill introduced in 1846.

THE EARL OF CARNARVON: I was not in the House at that time.

EARL GRANVILLE: The Bill I see was introduced in 1864, and I was not referring to the noble Earl who just spoke, but to the noble Earl sitting beside him (the Earl of Malmesbury), who said—

“The feeling of the country had been unmistakably manifested against the principle of the



Bill, and there was now firmly established in the public mind a complete conviction that a Colony when once it had arrived at a certain point of power and prosperity ought to defend itself against its natural enemies, and ought not to call on the mother country for the aid of Imperial troops."—[3 *Hansard*, clxxvi. 1889.]

So it must be in a non-natural sense that the noble Earl introduced this Resolution. But the objection raised to it by my noble Friend is a very just one—that the occasion was not sufficiently important for a formal Motion in this House. And I cannot help thinking that one point has entirely escaped the noble Duke (the Duke of Richmond). On a recent occasion Lord Ellenborough moved an Address that the Abyssinian Army should be received with honour on their return to this country; and on that occasion, if I am not mistaken, the noble Earl pointed out, in the strongest manner, that honours of this sort ought not to be bestowed upon the Motion of an individual Member of this House, however distinguished he might be, but that it was a great constitutional principle that honours of this sort should come spontaneously from the Crown; and this principle is so sound that I feel sure that it cannot have been taken into consideration by some of the noble Lords opposite, or they would not have supported the Motion of the noble Earl.

LORD CAIRNS: The answer to the last remark which has fallen from the noble Earl (Earl Granville) is this—It is for the Crown alone to offer rewards to those who distinguish themselves in fighting the battles of the country; but the proposal that Lord Ellenborough made was not that this House express any opinion upon the conduct of the troops, but that they should be received with honours upon their arrival. In reply to that it was said that the bestowal of honours upon the troops should come from the Crown through its responsible Ministers. But it is not proposed that any honours, rewards, or particular marks of distinction should be bestowed upon the troops which have been serving in Canada—it is simply an expression of opinion on the part of Parliament—and I have yet to learn that the voice of Parliament is prevented in any way from expressing an opinion upon the manner in which the local or Imperial troops have behaved on any particular occasion. The noble Earl has referred to a passage in which my

noble Friend behind me (the Earl of Malmesbury) said some time ago that he thought when the Colonies arrived at a particular point of prosperity, it ought to be inculcated as a principle that they should be charged with their own defence against their natural enemies.

EARL GRANVILLE: Permit me to continue the quotation. The noble Earl (the Earl of Malmesbury) added—

"With respect to Canada, we could not too soon persuade the people of that country that it was impossible for them to obtain Imperial assistance in the way of English troops."—[*Ibid.*]

LORD CAIRNS: That does not set aside the remark I was about to make. Whatever may be the duty of Canada with regard to those who may be termed her natural enemies—if she has any—what we ought to remember is that these Fenian raids into Canada were made not because the Fenians are the enemies of Canada, but because they hoped, through Canada, to strike a blow at the mother country, and cause her, if possible, humiliation and distress. We should remember that although Canada appeared to be fighting her own battle, she was really fighting ours, and therefore we should look upon these efforts which Canada has so successfully made as having been made really in defence of the mother country.

THE DUKE OF ARGYLL: My Lords, I confess that when I saw this Motion first, I did not for a moment expect the noble Earl intended to divide upon it. I interpreted it as a desire on his part to evoke a personal expression of opinion upon the part of your Lordships, and that object having been attained I supposed he would withdraw it. I certainly never thought he intended to commit the House of Lords to an untenable position. Look at the Motion. It is neither fish, flesh, nor fowl. It is perfectly legitimate for noble Lords opposite to condemn the policy of the Government with regard to the diminution of the number of troops in Canada; but if that be their opinion let them express it openly in a manly and straightforward way, not covertly insinuate it. Let it be distinctly stated that the policy of the noble Lords on the Front Benches opposite is in favour of a large Imperial Army in Canada, then Her Majesty's Government will know how to meet them. The Motion cannot be said to be a Vote of Thanks to the

Canadian Volunteers; and it is certainly not a Vote of Thanks to the Queen's troops, for it seemed to hint that the Canadian Volunteers did all the fighting, and that the Queen's troops did nothing at all. The Motion, indeed, is capable of several different interpretations, and yet it does not express the policy which my noble Friend advocates. I therefore trust he will not endeavour to place the House in so foolish a position as to divide upon it.

VISCOUNT STRATFORD DE REDCLIFFE: I rise only for a moment to support the proposal just made that the noble Earl should withdraw his Motion. The noble Earl has gone into the whole question as to whether we are to keep any considerable number of troops in Canada; he has discussed the propriety of our continuing to defend our Colonies and the expediency of releasing ourselves from that obligation. The noble Lord has indeed succeeded in raising an ample discussion upon these important topics, and he has also drawn from all sides of the House a very decided expression of opinion as to the manner in which the Canadians defended—and it is certain that they did most bravely defend—their frontier; but as considerable doubt has been expressed on both sides of the House with respect to the meaning of the Resolution, it would be a mistake, I think, to carry it to a Division. I trust, therefore, that my noble Friend will withdraw his Motion, and be content with having obtained an expression of the feeling entertained by your Lordships upon the subject.

LORD LYTTTELTON avowed that his original intention was to vote in favour of the Motion. He saw in it no insinuation nor any grammatical defect. It indicated the wholesome policy that the mother country should continue in close relationship with the Colonies, to which he could never refuse his assent.

THE MARQUESS OF SALISBURY: I am afraid that the criticism to which this Motion has given rise will entirely destroy the gracious act it was intended to represent. If the Government press their opposition to a Division, it is probable they will find themselves in a minority; but the compliment it was intended to convey to the Canadian Volunteers and regular troops by the Resolution would cease, under the circumstances, to be a compliment. The Mem-

bers of Her Majesty's Government have carped at and criticized the terms of the Motion, they have put upon it all manner of unnatural and impossible constructions, and with so much pertinacity that I am afraid, if we did record this Resolution on the Journals of the House, it would not have the effect we intended. Under these circumstances, although it is with regret, I counsel the noble Earl to withdraw his Motion. In their agony to avoid this Resolution the Government has been induced to give far more distinct pledges than they have ever given before as to the duty and necessity of defending Canada to the utmost of their power when attacked by a foreign foe. It was especially necessary that such an expression of opinion on the part of both sides of the House should be given, because this is a case in which the whole danger Canada incurred was incurred on account of the mother country.

THE EARL OF CARNARVON: I will not, after this evening's debate, make more than one or two observations; but, in self defence, I am bound to say that when the noble Earl opposite (the Earl of Kimberley) drew an analogy between the policy I pursued and that pursued by the Government in the present instance he argued upon a false assumption. There is no ground for drawing such an analogy, the conditions in every case in which I acted having been entirely different from those of the present instance; and the act itself, both in its practical consequences and in its general policy, being essentially different. In the next place, I rejoice—and I am certain your Lordships will rejoice—at hearing the speech of the illustrious Duke on the Cross Benches (the Duke of Cambridge), which I am satisfied will produce an excellent effect. Lastly, I am glad to hear the despatch read by the noble Lord the Secretary of the Colonies, and I can only wish that it bore an earlier date. But as far as the Motion itself is concerned, I feel that the purpose which I had in raising this discussion has been answered in a great measure, and that by pressing it further there would be a risk of undoing that which has been accomplished. Therefore, although I think that Her Majesty's Government have undertaken a certain responsibility, and have placed themselves in an unfavourable position by rejecting my proposal on the grounds



they have chosen, I shall feel it my duty to withdraw the Motion.

Motion (by Leave of the House) *withdrawn.*

# NEUTRALITY LAWS.—HORSES CONTRABAND OF WAR.—QUESTION.

THE MARQUESS OF CLANRICARDE rose to ask, Whether Her Majesty's Government are aware that large purchases of horses are being made in Ireland by one at least of the Continental Governments now at war; and how far horses are or may properly be considered contraband of war? He regretted that the House should be so thin at that moment, because he thought his Question related to a matter which was at present a matter of the highest importance, and one to which, apparently, Her Majesty's Government had not given sufficient consideration. His Question assumed a fact of which he believed there was abundant evidence—namely, that agents of one, if not of both, the belligerent Powers were in this country, and more especially in Ireland, buying horses in large numbers. If this were so, it started at once two considerations of great gravity—namely, how far such proceedings affected our relations with those Powers and our neutrality towards each of them, and how far they affected our interests at home. He should be sorry to see a check given to a trade which he should be glad to see more prosperous in Ireland—the trade of breeding and selling horses. He was one of those who thought that some blame attached to the Imperial Government for not having extended more encouragement to that trade; but if agents of both or one of the belligerents were at present purchasing horses in the United Kingdom we had to consider how far it was consistent with our neutrality to permit such proceedings. We might either directly prohibit such aid being afforded to either of the belligerents, or we might allow it to be afforded to both, impartially, opening our ports equally to all comers; at the same time, it was impossible not to see that if such a trade in horses were carried on it must tend very much to the advantage of one of the belligerents and very little to the advantage of the other. It was not, however, our fault if the geographical position of France or the superiority of her navy gave her the advantage in that respect; and

if this trade was permitted to go on it must be of immense use to France, should she be engaged in a protracted war, to have the United Kingdom to draw upon as a source of supply for remounting her cavalry. Yet the other belligerent Power would have no right to complain against us on that account, because, as far as we were concerned, she might come to our market as freely as her antagonist. Now he was quite certain that his noble Friend the Secretary for Foreign Affairs would confirm his assertion that in permitting this trade we wished to lean to the side of neither party. He perceived that a Question had been put in the other House as to how far horses were contraband of war or not; and the Government had, very properly as he thought, refused to give any definition of what articles were or were not contraband of war. But let their Lordships consider this case. If after war was declared and had commenced—as he was afraid was the fact at the present moment—a British ship was overhauled in the Sound or the Baltic by a French man-of-war and found to be conveying a cargo of horses for Prussia—would not that cargo be seized as contraband of war, taken to a French Prize Court, and condemned? In Wharton's *Law Lexicon*, edition 1867, under the title "Contraband," was the following passage at page 233:—

"It is admitted on all hands, even by Mr. Hubner, the great advocate for the freedom of neutral commerce, that everything that may be made directly available for hostile purposes is contraband, as arms, ammunition, horses, timber for shipbuilding, and all sorts of naval stores. In the term contraband, horses and saddles may be included."

Hautefeuille's *Droits et Devoirs des Nations Neutres*, vol. ii, p. 337; Marten's *Précis*, vol. ii, p. 316. Again, in the last edition of M'Culloch's *Dictionary of Commerce*, title "Neutrality," p. 219, the same passage from Hubner's work, *De la Saisi des Batimens Neutres*, vol. i., p. 193, was quoted. Ortolan and Hautefeuille seemed to think that coal never could be considered contraband of war. He apprehended, therefore, that horses exported for the purposes of either of the Governments now unfortunately belligerent could fairly be condemned as contraband of war. Now, the Prime Minister the other day said that the Government did not lay down, in the Proclamation of Neutrality, what merchan-

dize was and what was not contraband of war; and, in doing so, he said he was only following the precedent set by Lord Malmesbury, quoting a letter, written in 1859, by direction of Lord Malmesbury when Foreign Secretary, in reply to an application from a private firm with respect to coal. In that letter Lord Malmesbury said that Her Majesty's Proclamation did not specify, and could not properly specify, what articles were or were not contraband of war, and that—

“The Prize Court of the captor is the competent tribunal to decide whether coal is or is not contraband of war, and that it is obviously impossible for the Government of Her Majesty, as a neutral Sovereign, to anticipate the result of such decision. It appears, however, to Her Majesty's Government that, having regard to the present state of naval armaments, coal may in many cases be rightly held to be contraband of war.”

This no doubt was perfectly sound; but what would be the effect if this trade in horses from the United Kingdom should continue, and a cargo should be condemned? It might place us in a very unpleasant position. He would not inquire into the condition of our own cavalry; but it was evident that when a great war raged on the Continent of Europe our interests were so complicated and extended over so wide a range that there must always be more or less possibility that this country would be drawn into the contest, however anxious we might be—as, he believed, was the case at present—to remain neutral and impartial. That possibility was liable to become a probability, especially when we had engagements and entanglements with respect to the Continent; and it was, therefore, most important to determine how far we ought to allow the exportation of so valuable and necessary a material of war as horses to proceed unchecked. He hoped this question would be well considered by the Government before any definitive step was taken; and it was better that it should be considered at once, while our neutrality remained unimpeached.

EARL GRANVILLE: With regard to the first part of my noble Friend's Question, I have no authentic information; but I have been told that both in Ireland and in this country purchases of horses have been made, and that at this time of the year there is almost invariably a very large exportation of horses from this country to the Continent. I

am further told that this exportation has been considerably increased this year—that foreign agents have been buying young horses at fairs, and that a considerable number of what are vulgarly called “screws” have been bought at £20 a piece. As to the second part of the Question—namely, how far horses may be regarded as contraband of war, my noble Friend himself admits that the head of the Government was quite right in not answering that question—and I have heard it remarked that no question is indiscreet, but only the answer is so. I think, however, that the noble Marquess answered his own Question most admirably by quoting certain learned authorities, from which there is no doubt whatever that as to horses, coal, timber, sails, ropes, and various other articles, it depends entirely on the destination, and a thousand circumstances which cannot be defined beforehand, whether they are to be held as contraband of war—a matter which can only be properly decided in the Prize Court of the captors. It is perfectly impossible for Her Majesty's Government to lay down any definition on this point, and, certainly, it is not in the least degree necessary that they should do so; because, following the usual practice when our own interests are not concerned and we are not in immediate expectation of being engaged in war, we do not prohibit the exportation of such merchandize. The noble Marquess says that this export trade in horses if permitted to go on may embroil us with one or other of the belligerents, or otherwise prove injurious. As to its embroiling us with belligerents, I cannot conceive of its doing so as long as it is equally permitted to both parties. The noble Marquess observes that this trade in horses, if permitted, may be of very great advantage to one of the belligerents and of very little to the other. But if we were to consider such questions as whether France is more in want of horses than Prussia, or Prussia is more in want of coal or corn and other things than France, and if we were to try and make distinctions on that account, I fear we should find ourselves landed in endless difficulties. With regard to the injury to ourselves, I think, as far as it goes, and very much further, it is an unmixed benefit not to stop that exportation of horses which goes on at all times, and allows the breeders of horses to get



the price which an increased demand may give. As to the exportation that is now being made being likely to lead to such a want of animals that in case of war—which Heaven forbid!—we should be unable to mount our own cavalry, the idea is almost preposterous. I believe I have answered the Question of the noble Marquess, which has not only been discussed now, but was very much considered when we were at war ourselves; and the general conclusion then was that, excepting for a few weeks' advantages, it was doubtful whether we did not do ourselves great damage by prohibiting the exportation of contraband of war, and while, except in making a delay of a few weeks, it is almost impossible to damage the enemy.

CLERK OF THE PEACE (COUNTY PALATINE OF LANCASTER) BILL [H.L.]

A Bill to make better provision respecting the office of the Clerk of the Peace for the county palatine of Lancaster—Was *presented* by The Lord CLANDEBOYE; read 1<sup>st</sup>. (No. 242.)

House adjourned at a quarter before Eight o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

*Friday, 22nd July, 1870.*

MINUTES.]—SUPPLY—considered in Committee—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS.—Second Reading—Census [211]. Referred to Select Committee—Shannon Navigation \* [192].

Committee.—Report—Pedlars' Certificates \* [199]; Greenwich Hospital \* [229]; Sanitary Act (1866) Amendment \* [189].

Third Reading—Elementary Education [218]; Army Enlistment [106]; Gun Licences [134]; Sheriffs (Scotland) Act (1853) Amendment, &c. \* [191], and *passed*.

Withdrawn—Horse Racing \* [155].

The House met at Two of the clock.

AN INCORRIGIBLE ROGUE.

QUESTION.

MR. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a report in the newspapers of a case tried before the Magistrates at Kirton Lindsey Quarter Sessions, where one Joseph Townsend was charged with being "an incorrigible

rogue," and was sentenced to three months' imprisonment and to receive thirty-six lashes with the cat; and, if he will state what specific offence was proved against this man, and whether, in his opinion, the Magistrates did or did not exceed their powers?

MR. BRUCE said, in reply, that the facts of this case were these—Joseph Townsend was 44 years of age, and on the 1st of July he appeared before the quarter sessions at Kirton Lindsey, and received, under 5 Geo. IV. c. 83, the sentence stated by the hon. Member. He had been supplied with a list of the offences of this man as follows:—18th March, 1865, convicted as an incorrigible vagabond, and sentenced to one month's imprisonment; in July of the same year convicted of vagrancy, and sentenced to 14 days' imprisonment; in March, 1868, again convicted and sentenced to 21 days' imprisonment; in June, 1868, again convicted, and received one month; in 1869 again convicted, and sentenced to 21 days; in November, 1869, again convicted, and received one month; again in December of that year, and received 21 days; again on the 8th January, 1870, and received three months; and, lastly, the conviction in July, and the sentence of three months' imprisonment and 24 (not 36) lashes from the cat of nine-tails. The sentence was inflicted under 5 Geo. IV., s. 10, and under the circumstances he thought that the specific offences had been proved, and that the magistrates had not exceeded the powers conferred upon them by the law.

LICENCES FOR CARRIAGES LENT.

QUESTION.

MR. SALT said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is necessary, under the present law, that a coachmaker, who lends (as a matter of courtesy, not of profit), a carriage to a customer for a few days, during the repairs of another carriage (upon which duty has been paid), should take out a fresh licence for the carriage so lent?

THE CHANCELLOR OF THE EXCHEQUER: The rule is that a licence must be taken out for every carriage used by the person who makes use of it. The coachmaker keeps it and uses it by lending it to another person, and therefore he must take out a licence for it.

### ARMY—VOLUNTEER CAPITATION GRANT.—QUESTION.

MR. MUNTZ said, he would beg to ask the Secretary of State for War, What resolution Her Majesty's Government have come to with respect to the Capitation Grant to the Volunteers for the current year; whether the present distinction as to efficient and extra efficient is to be preserved; and, whether the promised bonus of an additional grant of 10s. per man will be allowed or not, and to which of the two classes it is to be paid? He acknowledged that the matter had been to some extent explained since he put the Question on the Notice Paper.

CAPTAIN VIVIAN, in reply, said, the old distinction between efficient and extra efficient was to be preserved: the grant to efficient would be 20s., and that to extra efficient 30s.; and there would be an additional grant, not of 10s., but of 5s., which would be given under regulations that would be framed after consultation with commanding officers, but which would not affect the Estimates for the present year.

### ARMY—ARTILLERY AND ENGINEERS. QUESTION.

SIR JOHN ESMONDE said, he would beg to ask the Secretary of State for War, Whether any decision has been arrived at as to the retirement of the Royal Artillery and Royal Engineers?

CAPTAIN VIVIAN said, in reply, that the Report upon the matter was in a very advanced state, and it would be submitted to the Secretary of State for the War Department in the course of the ensuing week.

### NAVY—DEPTFORD DOCKYARD. QUESTION.

VISCOUNT MAHON said, he would beg to ask the First Lord of the Admiralty, Whether the money for the purchase of Deptford Dockyard has been paid in full?

MR. BAXTER: Sir, in reply to the noble Lord, I beg to say that the purchase-money for the first portion of Deptford Dockyard sold, all of which belonged to the Admiralty, and which was bought by Mr. Evelyn, amounting to upwards of £31,000, has been paid.

As to the remainder of the Yard, in which the Office of Woods, on behalf of Her Majesty, has the greater interest, the title thereto has not been completed, and the purchase-money has consequently not been paid. It, however, is quite ready, and the purchaser is pressing the Government for the completion of the matter, which I hope will not be much longer delayed. We are merely waiting for the opinion of the Law Officers of the Crown as to the questions of title between the Office of Woods and the Admiralty.

### COMPULSORY PILOTAGE.—QUESTION.

MR. GRAVES said, he wished to ask the Secretary to the Board of Trade, Whether any Memorials in favour of the abolition of compulsory Pilotage have been received at the Board during the five years previous to 1870; and, if so, the number?

MR. SHAW LEFEVRE said, he could only repeat the answer he had already given in his evidence before the Select Committee on this question, which was that all the memorials received by the Board of Trade had been referred to the Committee, and were, for the most part, given in the Appendix to its Report.

MR. C. TURNER said, that no memorials were presented to the Committee. He thought they had a right to a distinct answer to the Question whether any memorials had been received or not.

MR. SHAW LEFEVRE said, his reason for not having answered the Question more distinctly was that a specific answer to the Question in the form in which it was put would be misleading as to the interest taken by the public in this question.

MR. ASSHETON CROSS: Are there any, or are there not?

MR. SHAW LEFEVRE: To that question I must repeat that there are none beyond those referred to in the Appendix of the Report.

### ELEMENTARY EDUCATION BILL.

[BILL 218.]

(Mr. W. E. Forster, Mr. Secretary Bruce.)

### THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read a third time."—(Mr. W. E. Forster.)



MR. DIXON said, that he had never offered any factious opposition to the measure, or delayed its progress, nor should he now oppose the third reading; but it must not, therefore, be concluded that he was satisfied with it as it now stood. On the contrary, it was his intention, as soon as the Bill became law, to give Notice that early next Session he should move for leave to bring in a Bill to amend the Elementary Education Act of 1870. The objectionable portion of the Bill, which he had pointed out when it was first introduced, had either not been removed at all, or at the best had been very imperfectly remedied. The establishment of school Boards, wherever they were necessary for the purpose of securing to every child in the kingdom the elements of education, was the leading object of the Bill; but he feared that the Bill in its present form would not realize the good intentions of the Government in this respect, and that school Boards would not be found in many districts that stood greatly in need of them. This, especially, would be the case in the rural districts: where school Boards were established they would have to confront the religious question; and he feared that discussion and dissensions would follow which would be inimical to the efficient working of the Act. He regretted that universal compulsion had not been enforced by the Bill, for in many parts of the country—and, again, especially in the agricultural districts—the objections to the compulsory principle were strong, and it would be found that children would still grow up uneducated, owing to the apathy, the indifference, or the selfishness of their parents. He also regretted that more ample provision had not been made for that class of persons who would be unable to send their children to school, on account of their inability to pay the school fees. He was not so unreasonable, however, as to expect that the Government measure should in all respects have harmonized with his views; he was prepared for shortcomings. But there was one clause introduced by the Government, which was of a totally different character to the others—the clause which provided for an increase in the grants to voluntary schools. He believed that this was a retrograde movement—it was one to which the Nonconformists had strong objections—it continued, and

might possibly render permanent a system which they had over and over again expressed their objections to, and it was one which he believed would be condemned by Liberals in all parts of the country. He admired, in common with the whole House, the admirable temper and the great ability with which the right hon. Gentleman the Vice President of the Council had carried this Bill through the House, but he would remind the Government that, notwithstanding the merits of the right hon. Gentleman, the Bill owed its great success in the House mainly to two causes, which would not be forgotten in the country. The first was the almost constant and earnest support which was given to it by the Opposition; and the other was the statement made over and over again by the Government— a statement amounting almost to a threat—that unless their usual supporters went into the same Lobby with them on this Bill, they would run the risk of losing the Bill, and incur the condemnation of the country. He regretted that the success of the Bill had been purchased at such a heavy price, for he could not hide from himself that it had roused the suspicion, the distrust, and the antagonism of some of the most earnest supporters of the Government. He thought it was a great disadvantage, if not a positive evil, that those who had done so much to place the Government in the position which they now occupied should be accustomed to an attitude of opposition, and to make appeals which would be repeated to the great Liberal party outside the House against the action of a Government which had hitherto received from them the most unvarying, loyal, and enthusiastic support.

MR. COWPER-TEMPLE said, the hon. Gentleman (Mr. Dixon) had charged the Government with having acted inconsistently with their Liberal principles, in the manner in which they had framed and conducted this Bill. After the solemn warning which the hon. Member had given, that he and his Friends meant to fight the battle over again next Session, he (Mr. Cowper-Temple) would take the liberty of saying that, so far as he understood the question, the failure of the hon. Member and his Friends had not arisen from any inconsistency with Liberal principles on

the part of the Government or of those who supported the Government, but from the very inconsistent and contradictory position which the hon. Member and his Friends had taken up upon this question. They professed to speak the sentiments of the Nonconformists. Now, the Nonconformists took their stand and had always done so on freedom of opinion on matters of religion—on the principle that the Bible was the great standard of religious truth, and that it ought to be open to everyone in the country to read and to teach it. But the hon. Member and his Friends, professing to act in the name of the Nonconformists, had urged the House that measures should be taken to deprive the teachers in the schools created under the Bill, of the right, which everybody else in this country enjoyed, to explain the Bible according to their own views and opinions. While they spoke in the name of persons who had the greatest reverence for the Bible, they had pressed either that the Bible should be excluded from the schools altogether, or that it should be received with a stigma which was placed on no other book—that of being a dangerous and pernicious book, not to be freely handled and interpreted without risk. [“No, no!”] Well, he would recall those expressions; but he said this—that they wished to surround the Bible with restrictions, and to prevent it from being freely explained by the teacher in accordance with his own views and opinions upon it. He did not think that that was a consistent position to take up, or that it would be agreed to by the large body of persons who maintained, as a principle they had always fought for, a free and open Bible. That was an inconsistency which was sufficient to prevent the hon. Member and his Friends from carrying their point. Again, when they urged that something should be put in the Bill for the purpose of making the teaching unsectarian, they could not agree among themselves as to the words, and they at last put forward words so vague and ambiguous that they were not capable of legal interpretation. In the same way, those Gentlemen who had so pertinaciously opposed the Bill were great advocates of economy, and yet they advocated gratuitous school instruction and the suppression of all the existing schools, which

would have thrown a heavy additional burden upon the ratepayers and taxpayers of this country. So, again, those Gentlemen who opposed the Bill were members of the great Liberal party, who professed to be anxious for individual freedom, and yet they were driven, by the necessities of their position, to offer more despotic power to the Government and the local Boards, though the Bill already conferred more despotic powers upon the Education Department than were ever conferred on a Department of the State by an Act of Parliament, in order to enforce opinions and views which they confessed were not in accordance with the wishes and feelings of large districts of the country. Their failure did not arise from a want of willingness on the part of the Government to meet their objections, for he must say he had been struck by the extreme willingness of his right hon. Friend at the head of the Department and his right hon. Friend at the head of the Government to listen candidly and fairly to every objection, and to admit any fair Amendment that was founded upon consistency, and that ran upon all-fours with the scheme of the Bill. He had no fear, therefore, that when Parliament met again, after the Prorogation, it would take a different view of the question from that which it did now. There was one body that deserved more credit in these discussions than it had yet received—he meant the Church of England. The Church of England, as far as she had been spoken for by those who represented her views, had shown no desire to press unduly her own particular views or personal objects, but had shown herself willing and anxious to pass this great measure of education without unnecessary delay. Her representatives had not unduly pressed forward in the House any extreme views; they were willing to sacrifice their own special desires in order to facilitate the passing of this measure. And he would say, as far as he could gather the opinions of the Liberal party throughout the country—though the hon. Member for Birmingham (Mr. Dixon) might and did represent a large portion who were urgent, ardent, and anxious to carry out his views—yet, generally, throughout the country this Bill was felt by men of all parties to be a measure wisely



framed, and a successful attempt to build a new system upon old foundations. The measure would be more acceptable because it rested on what was already in existence instead of starting afresh upon some particular theory. It seemed to hon. Gentlemen that nothing was so easy as to create schools; whereas those who had examined into the subject knew that nothing was more difficult. They would be acting in a rash and reckless manner if they were to drive from the field of education those who had filled it for so many years, and who had borne the burden by their voluntary labours. He had no doubt that when the measure had been tried in the country for some time it would be found admirably adapted to accomplish its purpose; that under it education in primary schools would be widely extended; and that the large majority of the House who had supported the Bill would receive the approbation of the nation.

MR. MIALL said, the speech of the right hon. Gentleman the Member for South Hampshire (Mr. Cowper-Temple) challenged, and he thought not very wisely, those, especially of the Nonconformist Body, who had taken part in opposition to this Bill, for their inconsistency and consequent want of success. They laughed who won. The right hon. Gentleman had had all his desires accomplished, and he might say all the desires of the Church which he represented—["No, no!"]—perhaps not all, but at least all the desires that it was thought could be conveniently put forward by the Church; and he did not, therefore, wonder that the right hon. Gentleman took up rather a jubilant tone on this occasion, and turning round to those who had to pass through the Valley of Humiliation gave them the most discreet advice with regard to the future, and told them that all their misfortunes had proceeded from want of consideration and union as respected the past. Now, it used to be said that those were fortunate people who had friends at Court. He did not know whether Court in that sense could be interpreted as Government; but he did not think it could be said that those were fortunate people who had been allied to the Government on this occasion. He might say, without boasting, that the present Administration occupied the position it did very mainly in consequence of the warm, hearty, en-

thusiastic support by the Nonconformist body of the policy announced by the right hon. Gentleman the First Minister of the Crown two years ago at the last General Election. He did not say that they were the sole agents in putting the right hon. Gentleman and his Friends where they were; but he did say this, that they were the heart, and, he might say, the hands of the Liberal cause in this country. He might say that they imparted to it all the enthusiasm it exhibited—that they gave whatever new impulse was given to the Liberal cause for the present time and for years to come; and that the spirit which was exhibited by the Nonconformist electors of the country at the last General Election was the main force that carried the right hon. Gentleman and his policy triumphantly through the obstacles—and they were not slight obstacles—that were opposed to them by the right hon. and hon. Gentlemen opposite. They did not, when this question was first brought forward, expect anything that was immoderate or demand anything that he thought was selfish. They knew that this was a question which touched very closely many of their principles; and they did think, perhaps somewhat presumptuously, looking back on the past, that they were entitled to be consulted, in some respects, as to the general principles and drift of legislation which grated harshly on their sympathies. They did think that some consideration would have been paid to their objections; and, certainly, they had no expectation, when their objections had been urged, that remedies would have been applied that rather increased and aggravated those objections than otherwise. But they were very unfortunate. It seemed they were inconsistent too. He admitted to the right hon. Gentleman (Mr. Cowper-Temple) that they had been divided and they had been beaten. That was the moral they had to learn from the lesson of this Session. There had been a separation he would not say in feeling, but of thought and sympathy with regard to this Bill among the Dissenting bodies, especially as represented in that House—far more separation in the House than out of it; for he could aver, of his own personal knowledge that there was scarcely a Dissenting organization in the country that had not pronounced condemnation of this Bill. He thought

they had good reason to complain. Considering that they were at all events a fair moiety of the party now in power—considering that they never made any excessive demands even for their own principles of those who held others, and considering the general temper and feeling of the country in regard to questions like this, he did not think that they had been dealt with considerately, and with a fair view to meet the objections that they had candidly urged against the provisions of this Bill. He would not urge this further than was necessary on the Treasury Bench, but “once bit, twice shy.” They had almost all the measures in which they were most interested cast out with something like contumely—not in this House only, but in the other House during the present Session. Their Burials Bill was referred to a Select Committee, which bestowed the utmost care and consideration on its provisions, in order to divest it of anything that could possibly hurt the feelings of Churchmen. He appealed to the hon. Member for South-west Lancashire (Mr. Cross) whether the general spirit manifested in that Committee was not a spirit of concession on both sides? But the Bill no sooner came down here than a small and compact party determined that it should be “talked” out. It was then they bestowed with the Government great pains upon the University Tests Bill. They sent it up imperfect as it was in character—advisedly imperfect—that it might pass in “another place;” but their Lordships, smitten with excessive caution with regard to religious teaching, had put it in such a position that he believed one Peer had declared within the last 24 hours his opinion that the Bill was done for for the present Session. He might mention one or two other measures which were in the same category. He must say, looking to all these things, if they, representing the Dissenting community, could stand by and see themselves elbowed out of their principles and rights they would deserve such treatment. With regard to the Education Bill, he would say that he hoped its working in this country would be better than its effect on parties in that House. It had produced a very painful impression on Dissenters generally, and on the greater number of Dissenting representatives in that House. It might be said, and had

*Mr. Miall*

been said, that the Bill, after all, was far more liberal than it looked. He believed it would be found probably to work more smoothly than could be anticipated, for it was an educational measure. But they might be pardoned, he thought, as Nonconformists, for having mistaken—if they had mistaken—the real character and position of that measure. It was the first time that a measure brought in and advocated on the express ground that it embodied the principles of political equality had failed to recommend itself to the sympathies of the Dissenting body. What they might say, with even more distinctness, was that it was the very first time that a measure had gone up to “another place” at that late period of the Session, with regard to which they had the assurance that not a single alteration would be made in it of any importance except that which took away the Ballot. It might be a very liberal measure indeed; it might contain in its provisions all that was necessary to illustrate and carry into effect the doctrines of religious equality; all that he could say was that not such honour had all the measures proceeding from the Liberal party.

MR. GLADSTONE: Sir, I am very sorry to interfere in the debate at this moment, but I do not think it would be becoming in me, after the speech just delivered by my hon. Friend, if I were to remain altogether silent. My hon. Friend has not been content with discussing the merits of the Bill, but has thought fit to use language concerning the relations between himself and the Government to which it is absolutely necessary I should refer. Speeches somewhat similar we have heard on former nights from my hon. Friend the Member for Merthyr Tydvil (Mr. H. Richard) and from my hon. and learned Friend the Member for Stroud (Mr. Winterbotham); but my hon. Friend the Member for Bradford (Mr. Miall) appears to think that the Government labours under the infirmity of deafness, and that we have failed to receive in our organs of hearing those expressions used by my hon. Friend. The speech of my hon. Friend amounts to a reproach on the Government for not having fulfilled the expectations under which they were brought into power. To this I say, fearlessly, in the face of my hon. Friend and of those who have made use of similar language, that if in 1868 we made bold



professions to the country, professions involving, as we well knew then, and as we know now, the greatest responsibility, we have laboured to the utmost of our power to fulfil them, and the whole of our energies and the whole of our influence have, in no spirit of common calculation, been devoted to the purpose of redeeming those pledges. I am not here, therefore, to be told, with nice analysis, of what elements was made up that large degree of national support to which we owe the position we hold. I am not prepared to admit that my hon. Friend, great as is the weight of his character and the respect to which he is justly entitled, speaks in this matter the sentiments of all those with whom he is connected by religious opinions, because there are others in this House who have sat on these Benches for many years, and who have earned the respect of all who know them, who have not participated in the severe judgment passed upon us by my hon. Friend. My hon. Friend thinks it worthy of him to resort to a proverb, and to say that the time has come when he is entitled to use the significant language—"Once bit, twice shy." But if my hon. Friend has been bitten, by whom is it? If he has been bitten, it is only in consequence of expectations which he has himself chosen to entertain, and which were not justified by the facts. We have been thankful to have the independent and honourable support of my hon. Friend, but that support ceases to be of value when accompanied by reproaches such as these. I hope my hon. Friend will not continue that support to the Government one moment longer than he deems it consistent with his sense of duty and right. For God's sake, Sir, let him withdraw it the moment he thinks it better for the cause which he has at heart that he should do so. So long as my hon. Friend thinks fit to give us his support we will co-operate with my hon. Friend for every purpose we have in common; but when we think his opinions and demands exacting, when we think he looks too much to the section of the community he adorns, and too little to the interests of the people at large, we must then recollect that we are the Government of the Queen, and that those who have assumed the high responsibility of administering the affairs of this Empire, must endeavour to forget the parts in

the whole, and must, in the great measures they introduce into the House, propose to themselves no meaner or narrower object—no other object than the welfare of the Empire at large. I hope my hon. Friend will excuse me if I have spoken with feeling on this subject. I have, I trust, employed no language disrespectful to him, but I own I could not help feeling wounded at hearing the language he employed coming from a man for whom I entertain the greatest respect, and whom I have always admired as remarkable for combining strong feelings with a candid and considerate manner of giving them expression. And now, Sir, with regard to the Bill itself, I was very sorry to hear the hon. Member for Birmingham (Mr. Dixon) issue a proclamation of war against it the moment it is about to pass. We shall be compelled to put our trust in the good sense of the country. I must own I do not think the threatened blast of the trumpet will really rouse the land in opposition to the imperfections which mar such a measure as this. Far be it from me to say that this is a perfect measure. My right hon. Friend near me (Mr. W. E. Forster) to whom I myself especially—to whom the whole Government—to whom the House and the country owe a debt of gratitude, is the last man who would describe this as a perfect measure. We have had to steer our course amid competing bodies and conflicting difficulties. It was with us an absolute necessity—a necessity of honour and a necessity of policy—to respect and to favour the educational establishments and machinery we found existing in the country. It was impossible for us to join in the language or to adopt the tone which was conscientiously and consistently taken by some Members of the House who look upon these voluntary schools, having generally a denominational character, as admirable passing expedients, fit indeed to be tolerated for a time, deserving all credit on account of the motives which led to their foundation, but wholly unsatisfactory as to their main purpose, and, therefore, to be supplanted by something they think better. That is a perfectly fair and intelligible theory for any Gentleman to entertain, but I am quite sure it will be felt that it has never been the theory of the Government. My right hon. Friend and many others who have taken part

in this question hold that when we are approaching this great work, which we desire to make complete, we ought to have a sentiment of thankfulness that so much has been done for us. I am one of those who hold that in the production of material objects it is desirable never to multiply the Establishments of the Government beyond what is necessary, but where it is possible to avail ourselves of private energy and zeal. So, in this matter of education, it is a great mistake and error, in our view, to think that secular education given by a State machinery is *per se* better and more valuable than the same education given by machinery voluntary in its character. Setting aside that which is abstractedly desirable, I think we are justified in feeling that this enormous power which exists in the country ought to be turned to account. It may be viewed, theoretically and abstractedly, in very different lights. Some may think that this existing machinery is no better than a beast of burden; but even as a beast of burden there is no reason why we should not make it do the work of the State as far as it can be rendered serviceable. Some may think it worse than a beast of burden, having its origin from below; but even if its origin were from below, you may use its energies if you can strain them to the public benefit. Some may regard it as an angel from Heaven, as the spirit of Christianity working in the minds of men and producing a profound and deep desire not only to give religious knowledge, but every element of education of essential value. I own I think that is the truest light in which to view it. I think it is the greatest mistake to suppose that those who have founded these voluntary schools have been exclusively or narrowly actuated by a spirit of attachment to those points on which they differ from their fellow-Christians. I believe that having received Christian conviction in its largeness and fulness, a largeness and fulness with which I hope this House will never attempt to interfere, they have thereby been animated with a spirit of expansive benevolence which has not stopped short of the principle to which it owed its origin, but has spread itself into a general feeling of philanthropy. And as Christianity, since it came into the world, has given a new character to secular philanthropy, so

religious zeal has created, in this country especially, an amount of anxiety never before exhibited for the promotion of a sound secular education. Then, with regard to the other great question, my hon. Friend is very much dissatisfied with the plan we have adopted by which catechisms are excluded from the schools, and by which the Scriptures are only to be used as a religious text-book, without any Parliamentary declaration or statutory limitations as to their exposition. I will not say a word as to that plan, but I really cannot see how my hon. Friend can for a moment conceive that we who have adopted and recommended it are liable to the reproach of having thereby done less than justice to the Nonconformists of this country, or of having, as my hon. Friend put it, marched them through the Valley of Humiliation. If that charge had proceeded from the right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy), who has a kind of official representation of a large portion of the Church, or from Gentlemen accustomed to treat public questions from a point of view at all peculiar to the Church of England—if, for instance, the hon. Member for North Devonshire (Sir Stafford Northcote) had complained of having to march through the Valley of Humiliation—the Government, though not in the slightest degree prepared to admit the truth or the justice of that charge, would have received it with less surprise, because, whatever the opinions of my hon. Friend may be, he cannot deny that we have excluded something from the schools, and that what has been so excluded is something particularly characteristic of the Church of England, and objected to by Dissenters. For myself, I believe that it will answer every useful purpose that there should be a free exposition of the Scriptures open to every schoolmaster who may be conscientiously attached to the Nonconformist community, subject, of course, as I hope he will be, to the restraints of common sense, but to no other restraints of a legal kind. Under these circumstances I do hope and very confidently believe that a more kindly and genial view will be taken of this matter than my hon. Friend has for once in his life been content to take. I must own that, though he seemed to make the Government responsible for the failure of the



Burials Bill and the anticipated failure of the University Tests Bill, I find that, at least negatively in his speech, he admits that with this we had nothing to do whatever. The only object of that portion of his speech seems to have been to show that my hon. Friend was disappointed, and ought not to have been disappointed. But does he think that the Government ought to have resigned or to have dissolved Parliament?—for I do not know any other point of view from which it is possible to make a charge against them. Sir, we have had great difficulties to contend with, but I do not think we can claim from hon. Gentlemen opposite—we do not claim from my hon. Friend—I do not know that we can claim from any section of the House any other credit than this, which I believe the bulk of the House is disposed to give us, reserving their own judgment of particulars—that we have striven, and, above all, my right hon. Friend near me has striven, to deal for the best with all the circumstances, to smoothe difficulties, to allay passions, to avoid everything that would excite or stimulate, to endeavour to bring men to work together, to eschew all extremes, and not to make our own narrow choice the model of the measure that we were presenting to Parliament, but to admit freely and liberally, as was our duty, into its composition those great influences which we found swaying the community in which we live. That has been the general principle upon which we have acted. We might have taken a more sectional view, but what would have been the result? That this great subject of national education, instead of now being launched with some partial expressions, it is true, of disapproval, yet, upon the whole, with prospects full of hope, would have been launched indeed, but where? Not launched into the country with extended and beneficial operation, but launched into this House amid excitement and angry feelings—set down here on this floor as another standing barrier between those who sit in different portions of the House, full, indeed, of hope and promise, but of what hope and promise? That for years to come it would furnish the materials of bitter controversies in this House, and that when we cast our eyes beyond the walls of Parliament they would fall everywhere upon district after district where we should

have to admit with shame the educational destitution of the people. Sir, I admit I have replied with some warmth to the imputations which have touched me nearly from my hon. Friend; but I hope the House will think that in the remarks I have made on the Bill we are now about to read a third time I have endeavoured to make a fair and equitable statement, and I think that any impartial man, whatever may be his judgment on particulars, will acknowledge that the principles upon which we have acted are the true principles upon which this great and difficult question could alone be settled.

MR. WHITWELL said, while they were passing a general measure of education they ought not to forget the claims of the teachers, who had devoted their lives to the work of instruction. He was not in favour of granting them pensions, but he would suggest the propriety of encouraging them to form some prudential plan of mutual assurance, assisted by the Privy Council, with a view to establishing some provision for themselves in old age and in times of adversity.

MR. RAIKES said, he wished to endorse everything that had been said, in the House and out of it, as to the manner in which the right hon. Gentleman the Vice President of the Council had carried the Bill through the House. He believed the Bill had passed scarcely so much upon its own merits as because it had been brought in and conducted by the right hon. Gentleman. When the Bill was introduced there was on all sides a great chorus of congratulation; but the measure had passed through three editions. They had had the original Bill, the Easter edition, and the Whitsuntide edition—in point of fact, they had practically had three separate Bills presented to them, each of them having distinctly marked features of its own, which differed from the leading features of the two others. The measure as it now stood represented the compromise which all parties had agreed to make in order to secure a fairly good educational scheme. At the same time, though there had been such large changes in the form of the Bill, there had been few or no concessions made to the party which had given the most consistent and unvarying support to it. Concessions of a most serious character had

[Third Reading.]

been made to hon. Gentlemen below the Gangway, and to the right hon. Gentleman the Member for South Hampshire (Mr. Cowper-Temple); and he (Mr. Raikes) only hoped that those concessions would not be so unfortunate in their results as he was afraid they would prove to be. He could not help feeling some misgivings on the part of the Church of England. Although the Education League had not carried all their Amendments, they had a good deal with which to console themselves. It was very unfortunate that the Government would not allow the school districts formed under the Bill to be subdivided even at the discretion of the Education Department. The refusal of the Government to accept that proposal had, he believed, taken away the most valuable and beneficial results of the Bill, and would strike a severe blow at the denominational system of this country, for it could not fail in course of time to weed out something like half the denominational schools which at present existed in different parts of the agricultural districts. A parish which was supplied with schools, but not to an extent sufficient to meet its educational requirements, would be called upon to build a school and support it by rates, and it was contrary to human nature to expect that poor parents would support denominational schools while at the same time they were called upon to pay rates for the new schools. Belonging to a family which had taken a great interest in education, he rejoiced that we had made a great step towards securing to the people the greatest blessing they could enjoy. He felt, however, that the House had not taken sufficient care to provide for the people the blessing of definite religious teaching, which the Church of England considered it her first duty and her highest privilege to impart.

MR. STAPLETON said, he represented a constituency (Berwick-on-Tweed) in which Nonconformity was very powerful, two-thirds at least of the Liberal party there being Nonconformists; and he admitted that, having given an unvarying support to the Government upon this Bill, he had received some complaints from constituents who were favourable to the view of his hon. Friend below the Gangway. Still those gentlemen were moderate and open to

argument; they used no threats as to withdrawing their support either from their Member or from the Government, nor did he believe that such a result was likely to follow from the course he had conscientiously pursued. His feeling was that, while perhaps many Liberal Members would have liked a measure more conformable with their views if the subject had presented a *tabula rasa*, they could not deny that something was due to those who had been the pioneers in this matter, and of whose exertions in the cause of education they had availed themselves. Even now they were calculating on the continuance of these exertions, without which the financial difficulty would be vastly increased; therefore, the Government had done no more than they might reasonably have been expected to do in giving additional grants to denominational schools. He believed, however, that the Bill would result in the establishment of large numbers of secular schools; but he could not share in the apprehension of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), that religion would suffer if, little by little, those schools should supersede all others until they covered the country. Under a system of secular education, properly administered, religion instead of being attacked, would be strengthened. It was a very common idea, and it had been expressed in that House by the hon. Member for Merthyr Tydvil (Mr. H. Richard), that secular education meant instruction in literature and science, and that religious instruction, on the other hand, meant instruction in religion and morality. And then it was contended that one day in the week was not enough for religious instruction. But instruction in morality was a part of secular education, and it had this advantage, that it was a mode of education in which all were agreed. All persons, whether Christians or Jews, Roman Catholics or Protestants, Unitarians or Trinitarians, were agreed upon the great principles of morality, all of them condemning murder and adultery, and all of them extolling charity and virtue. If the elements of morality were taught in the week, Sunday would suffice for teaching dogmatic religion. He contended that the fact that the children were receiving secular instruction in the national schools would in no degree de-



tract from the beneficial influence which the respective denominational ministers would be able to exercise over them in the Sunday schools. But the Sunday schools would have to be improved to meet the increased intelligence of the pupils. All the new schools ought to be carefully watched, and care should be taken that in every school sound moral instruction was given.

SIR JOHN PAKINGTON: I hope, Sir, the House will allow me, before the close of the last discussion on this great subject, to say a very few words, especially after what has fallen from the hon. Member for Birmingham (Mr. Dixon) and the hon. Member for Bradford (Mr. Miall). I heard the speech of the hon. Member for Birmingham with very great regret, and I heard the speech of the hon. Member for Bradford with still greater regret, for the speech was misleading. The tones of anger in that speech, and the reproach which was levelled against the Government, I, an opponent of the Government, must say were in this instance unjust and undeserved, and they justly called down that rebuke which we have heard from the lips of the First Minister of the Crown. But I have no desire on this occasion to refer to what has passed—let bygones be bygones. My feeling and my hope is, that men of all parties may concur in regarding it as the first duty of the country to give this great measure a fair trial. I cannot now help hoping that the hon. Members for Birmingham and Bradford, and other hon. Gentlemen who have consistently and honourably acted with them in the debates on the question, will, now that this Bill has virtually become the law of the land, combine with those who have been friendly to the Bill and endeavour to insure that it shall answer the great purpose for which it is intended. Having said these few words with reference to the speeches which I have heard with so much regret, I turn with pleasure to the subject of the Bill itself, and I cannot do that without offering my sincere congratulations to Her Majesty's Government, and especially to my right hon. Friend (Mr. W. E. Forster), for having conducted to a successful issue this most difficult measure—a measure which, whatever may be its defects and shortcomings, will, I believe, in a very large degree meet those urgent and

pressing educational requirements—from year to year and from day to day becoming more pressing and more urgent—which it was intended to meet. The right hon. Gentleman opposite (Mr. Gladstone) has said, and I think with truth, that this Bill is not a perfect measure, and that even the right hon. Gentleman the Vice President of the Council, who has conducted it through all its stages, will not contest that statement. I am quite of that opinion, and I hope that hon. Gentlemen below the Gangway will bear in mind that, if they think they have their cause of complaint, so do we on this side of the House think that we have ours. There is one subject upon which I have more than once expressed a strong opinion, and that opinion is not altered. I think it will grate upon many people's minds that in this Bill there is no mention made of religion except in a restrictive sense. I do think that that is a great blot in the Bill. I agree with what the right hon. Member for South Hampshire (Mr. Cowper-Temple) has said to-day, and I think that, after all the Liberal concessions which have been made, it is unfortunate that the Holy Scriptures should not be required to be taught in the schools. It is owing, I think, to a little want of courage on the part of the Government that we have not got that enactment, which is desired by a large proportion of the Nonconformists as much as by Churchmen. It is desired not for the sake of this denomination or of that denomination, but for the sake of religion generally. I regret the condition of the Bill in regard to this point, and I also regret very much the course which the Government have taken in most unnecessarily introducing the Ballot into this Bill. If, as I suppose, they took that course to conciliate hon. Gentlemen below the Gangway on their own side of the House, I can only say that it seems to have been very unsuccessful. In my opinion it was an unfortunate step. It was offensive to hon. Gentlemen on this side of the House who had given the Government their fair and honourable support throughout the measure. I regret that the Government thought it right to adopt that course; but notwithstanding all these defects, and notwithstanding other defects, which might be found in the Bill if it were worth while to pause and point them out—notwithstanding all these defects, I,

[Third Reading.]

for one, accept this Bill with cordial and heartfelt thankfulness. I should be ungrateful and inconsistent if I did not accept it with pleasure, for my right hon. Friend the Vice President of the Council, with whom it has been my fortune to confer on many occasions on the subject, knows that the Bill contains almost every one of those provisions for which, humbly but earnestly, I have laboured for the last 15 or 20 years. Those are provisions which, in my opinion, after long thought, are indispensable to anything like a successful measure of national education. I, therefore, say, whatever may be the defects and shortcomings of the Bill—and I do hope that hon. Gentlemen below the Gangway will remember that those defects and shortcomings exist in the opinion of both sides of the House—that I accept the measure with thankfulness and with joy. As time passes, in all probability this measure, like all great ones, will need amendment, and correction, and adaptation to altered circumstances; but I believe it will supply a want which has long been a scandal in English legislation; it will tend in a very large degree to promote the welfare of the country; and I cordially agree with the words which have just been spoken by the right hon. Gentleman the First Minister of the Crown, that the gratitude of the country and of all parties is due to my right hon. Friend the Vice President of the Council for that happy combination of great ability with fine temper which has enabled my right hon. Friend to bring this measure to a successful conclusion.

Mr. MELLY said, he had looked forward for years, ever since indeed he had taken any part in politics, to the day when a measure for the primary education of the people would be read a third time in that House, but he could not regard this Bill now before them for the last time with any but mixed feelings. He fully concurred with the speech of the right hon. Baronet (Sir John Pakington), who throughout these discussions had shown the most conciliatory disposition, and he wished that the same feeling of conciliation and kindly appreciation of motives had been shown by the right hon. Gentleman the Prime Minister, whose speech, in reply to the hon. Member for Bradford (Mr. Miall), he deeply regretted. He fully sympathized with his hon.

Friend, and it could not but be painful to hear the brilliant invective, the matchless eloquence of the Premier more often used, as had been the case throughout this Bill, in answer to the arguments of his Friends and his party, rather than against his opponents. [*Laughter.*] Hon. Members opposite might laugh, as they could not appreciate the affection and trust which they—the Liberals—felt for the Prime Minister, so neither could they measure the pain his speech had caused a portion of his followers. With that passing remark he would say with the right hon. Baronet—"let by-gones be by-gones." He would rather look forward than look backward in regard to this great measure of popular education. He valued the object above the means of attaining; it the education of their children above a "religious difficulty" or party ties. It became the duty of all to accept the Bill, and endeavour to work it with success; especially the duty of those who, living in the great cities, or representing popular constituencies, had necessarily much influence, which, forgetting all the history of the Bill, they were bound to use towards the fulfilment of its object—the education of every child in the land. While he regretted that the clauses of the Bill had in so great a degree been worded to meet the wishes of the opponents, rather than of the friends, of the Government, still he found a bright gleam of hope in those clauses. Hon. Members opposite had continually said that "monstrous and unconstitutional" powers were given to his right hon. Friend (Mr. W. E. Forster). If the Liberal party had accepted that Bill, it was because they believed this power would be used in conformity with the speeches of his right hon. Friend, who had often told them that they misinterpreted the scope of the measure, that it would carry out their views in bringing education to the door of every house in the country. That House had granted him all the powers he asked; upon him rests therefore the responsibility. As to him all credit for carrying the measure through the House, so to him they looked for its fulfilment as law in the country. They said the object could not be attained by voluntary effort, or by the denominational method; his right hon. Friend said it could; upon him lay the responsibility to make good his words. The Bill might be epitomised

*Sir John Pakington*



in two clauses; one providing that education should be brought home to every child in the country, the other that the requisite powers for that purpose should be placed in the hands of Government. He (Mr. Melly) wished it were in the power of the House of Commons to pass a third clause—that the right hon. Gentleman might for long years be spared to bring the same energy, earnestness, tact, temper, and perseverance with which he had defeated the dearest wishes of his best friends, to bear upon recalcitrant Town Councils, apathetic Vestries, hostile school Boards, and parsimonious ratepayers, in furtherance of the great end of elementary national education.

MR. HERMON said, he hoped that the hon. Member for Birmingham (Mr. Dixon) would act more patriotically than to carry out his threat of agitation, which must necessarily interfere with industry. If he did, he hoped he would pass by Lancashire which, by its own example, might be regarded as suggesting such a course, for though there was no part of the country where the disendowment and disestablishment of the Irish Church was more generally and emphatically condemned, yet, when that measure became law, no steps were taken by politicians in that great county which would lead to anything like animosity or contention.

COLONEL BERESFORD said, he must deny the right of the hon. Member for Bradford (Mr. Miall) to speak against the Bill in the name of the Dissenters of England. He did not believe the hon. Member represented one tenth part of them. A few evenings ago when he (Colonel Beresford) had an opportunity of congratulating the First Minister of the Crown on having so well interpreted the feelings of the country, he held in his pocket Petitions in favour of the course the Government had taken on the point in question signed by 23,000 Primitive Methodists. He also had a letter from Mr. Spurgeon, who could gather under his banner more Nonconformists than any man in that House, urging him to support the Amendment of the right hon. Gentleman opposite (Mr. Cowper-Temple).

MR. W. E. FORSTER: Sir, I should ill repay the kindness—very great and most undeserved—with which the House has borne with me and treated me

throughout the long discussions on this measure, if I delayed the House beyond a few minutes before, Sir, you put the Question for the Third Reading from the Chair. But I think, perhaps, it is due to the House that having had charge of this Bill, I should take leave of it in a few remarks. My hon. Colleague in the representation of Bradford (Mr. Miall) will, I know, not expect me, if he is in this House, to dwell upon his speech. But I think it right to say this—that it has been a great grief to the Government, and a very great grief to myself, to find, in doing what we conceived to be our duty in promoting a great national system of education by which we shall, as we believe bring education home to every child in the country, that we could not do it without differing in opinion from, and even hurting the feelings of, many persons like my hon. Colleague, with whom we have been in the habit of working, and who are anxious for the same objects. I know his sincerity and the high motives on which he acts in regard to anything in which he thinks principle is involved. I only hope he will allow me to have the same jealousy respecting what I may consider right. But however much we may regret this, it was not an obstacle which we thought should stand in the way of a great national measure of education. And I am confident, notwithstanding what he has said to-day, that the time will come when he will do with regard to this measure of education what he has done in the case of other educational measures—that is, as he now would acknowledge with great candour, that he is glad the opposition which he offered in times past to all national aid to education did not succeed, so I believe the time will come when he will likewise rejoice that his opposition to this measure was unattended by success. But, Sir, I chiefly rose to express my thanks to the right hon. Baronet opposite (Sir John Pakington) and to hon. Members on both sides of the House, and in every quarter of the House, for the assistance which has been given to us in getting this Bill through its various stages. When I had the honour of bringing it forward, I stated that I was sure it would be regarded in no party spirit. I did not ask this, for I felt it would be an insult to the House to suppose for a moment that it would be

[Third Reading.]

so regarded. My expectation on that point has been entirely justified, and the measure has never been treated or discussed on party grounds by hon. Members on either side. There was, indeed, another question which, unfortunately, we felt compelled—or rather I should say, which we felt bound to introduce into it—and I do not think we could complain that some hon. Members opposite should have objected to the introduction of the Ballot. But with regard to the pure education question, all distinctions such as Tory, Whig, and Radical have been entirely lost in the desire to see a great national measure of education passed. I also expected help. I told the House we were well aware that what we proposed was not perfect; that we did not suppose it could be made perfect at once, and that we expected very great improvements would result from suggestions coming from different sides of the House. I acknowledge the help we have received from all quarters. And now I must state, although I agree with my right hon. Friend (Mr. Gladstone) and the right hon. Baronet opposite (Sir John Pakington) that a constructive and complicated measure of this kind cannot be made perfect at once—that I cannot assent to a proposition laid down by my hon. Colleague (Mr. Miall) some weeks ago that no measure ought to be passed which would not do for, at least, 20 years. I am, I confess, much more modest in my desires, and am content that we should commence to perform a great national duty, and even though we should have to mend or modify the mode by which this is done within two or three years, I think our time and labour will not have been lost. I think the long and anxious consideration which has been given to the Bill, and the wearying efforts which have been made have not been fruitless. The principle of the Bill has been adhered to, and I think the mode in which it has been decided to carry out that principle is not unworthy of it. The principle was this—a legal enactment that there shall be efficient schools throughout the kingdom, and compulsory provision for the schools where needed, but not unless such need were proved. It was in those words that I described the Bill when I introduced it, and when we send the Bill up to the other House, this principle will still be

*Mr. W. E. Forster*

in it; and I have a sanguine hope that in that Assembly it will receive as patient a consideration as it has received here, and that, with this principle still intact, it will become law. During the passage of the Bill through Committee the machinery was altered, and I think mainly for the better; nor do I know of any change in this respect which I regret. On the contrary, I believe we have simplified the machinery and secured that it shall more freely work, and I am bound to say that for this we have to thank the useful and enlightened suggestions which the practical knowledge of Members on both sides of the House has supplied. The changes in the machinery have, I believe, been advantageous. They are changes which I could hardly have ventured to suggest myself, although several of them I should have been glad to have embodied originally in the Bill had I believed it would have been feasible to carry them. The greatest difficulty we experienced in framing the Bill was that of dealing with the immense part of the kingdom which is within the metropolis—a difficulty which almost filled me with despair when I considered how it was to be met. The difficulty arose from the present position of all governmental and municipal arrangements in the metropolis, and I felt that if on the first introducing the Bill we had fastened on the difficulty, Members on both sides of the House would say we had undertaken too much. Well, Sir, the House took the matter up, and I now look forward not with despair, but with the greatest possible hope—with a well-grounded, sanguine expectation, that London will afford the first example of the success of this measure. I am glad to have an opportunity of stating to the Members of this House connected with London, and through them to the people of the metropolis, that, inasmuch as it has been settled by this Bill that as soon as it becomes law the Metropolitan Board by whom the arrangements will have to be conducted shall be elected, London itself will be in the proud position, befitting its place in the kingdom, of first setting to work to apply and carry out this Education Bill. I believe it will successfully accomplish the work. If it does not the example will be one most dangerous. [Mr. MORLEY: Hear, hear!] I am glad to see my hon. Friend the Member for



Bristol evidently taking that remark to himself, because few persons have more influence and can do more to accomplish the great object we have in view in the City of London than he can himself. My hon. Friend the Member for Stoke (Mr. Melly), who spoke in words very far too kind about myself, alluded to the great powers which will be possessed by the Education Department and the responsibility which will rest on it. They are indeed, Sir, very great. And nothing but the magnitude of the task and the arduous character of the duty we have to perform would have warranted us in asking the House to intrust us with such powers. My noble Friend the President of the Council and myself, and the Government generally, are perfectly aware of the magnitude of the powers that are intrusted to us and the consequent onerous responsibility that devolves upon us. And, perhaps, here I may be allowed to make one remark, which I feel is due from me in common fairness and justice. I am very glad, and I believe the House has reason to be glad, that, whatever may be the ultimate decision as to whether there shall be a special Educational Minister or not, considering the immense difficulty of the task we have to perform—I say the House has reason to rejoice that two Educational Ministers will be intrusted with the carrying out of this Bill. I have happened to stand before the country rather prominently in this matter, because I had charge of the Bill. But I feel bound to acknowledge the assistance given me by my noble Friend, and I should be very hopeless indeed of being able to get the Bill in work throughout the country if I did not feel I should have his able assistance and superintendence in putting it into operation. But we shall, notwithstanding, want assistance outside the House, as we have had within it. Nor do I fear much those statements that we are to have an agitation—and my reason is this—I know my hon. Friends who make those statements have as earnest desires as ourselves for the advancement of education, and if they find that we are really trying to meet the difficulties of our task, they would be the last to try to frustrate our efforts before we have had a fair opportunity of showing whether we were justified in the hopes we entertained. I will not detain the House any longer except simply to say this. When we brought forward our

measure circumstances generally were very different from what they are now, and I am sure even those who desired that the Bill should be postponed for another year will on this ground be glad that they did not obtain their wish; for, looking to the terrible events transpiring around us in Europe, we must all feel how much more difficult it would be to carry through a complicated measure of this kind next Session than it has been this. This terrible war may suggest to us one other thought. We may consider ourselves fortunate that we are preserved from this contest, and we hope and trust we may continue to be so. But we must remember we have enemies around us from which we have not been preserved, and against which even peace and prosperity give us little security. Our very prosperity creates such foes. We have before us the great task of putting down the invading armies of ignorance, misery, and destitution, which swarm in upon us like insects and feed on the trees of our commercial prosperity. It is vain for us to suppose that peace will secure us from great national evils if we do not conquer the swarming hosts of ignorance. Efforts have indeed been made to face this dangerous foe, but this is the first time national machinery has been devised for grappling with those great evils, and that the State has set itself to work and organized itself to put down ignorance. It is the first attempt in favour of national education; and I am confident that the country generally and our constituents will not think we have wasted our time in taking this first step. Some of my hon. Friends who have paid great attention to this measure, and who care as much for religion as any of us—for I am sure I have no right to place myself above or even on an equality in this respect with some of them—have differed from us in their care for religious interests. Yet I believe that they themselves, when they come to reflect, will not regret that we have not by Act of Parliament built a wall around the schools which are to receive the outcast and the destitute, through which a ray of Christian light could not penetrate, and that, in the interests of freedom, we did not get Parliament to declare that parents who desire for their children religious combined with secular instruction should not be allowed to have their wishes gratified.

*Motion agreed to.*

Bill read the third time, and *passed*.

[*Third Reading.*]

## ARMY ENLISTMENT BILL—[BILL 106.]

(Mr. Secretary Cardwell, Captain Vivian.)

## THIRD READING.

Order for Third Reading read.

COLONEL BARTTELOT said, there were two points in the Bill against which he had before protested, and must once more protest. He would, however, hope that the Bill might work better than he anticipated.

Bill read the third time, and *passed*.

## GUN LICENCES BILL—[BILL 134.]

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

## THIRD READING

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. C. S. READ said, since this Bill had been printed no opportunity had been offered for discussing its main principles; and he therefore, by the leave of the House, would make a short and final protest before this tyrannical and unnecessary Bill was read a third time. When new taxes were levied it was generally supposed some fresh Revenue was wanted, but this year the Chancellor had an overflowing Exchequer, and, to show the country how little he needed money, in the original Bill the right hon. Gentleman proposed to remit the £150,000 now paid for game certificates. The game certificates had been retained; but a practical exemption from the new tax was granted to some 50,000 sporting gentlemen, for the £3 certificates were in future to include gun licences. They were told that it was to be a register of fire-arms, but it would be a most imperfect one. A man might keep any number of guns in his house, and a rich sportsman who paid for one certificate could use any number in the field, and his servants, who carried them or loaded for him would be exempt. Again, it was said that the Bill was to restrain the increasing use of revolvers; but a man could keep a revolver in his house, could practise with it on his premises, and, as there was no right to search his person, he could carry it about him for years and never pay the tax. Further, this Bill was to repress shooting on the road; but hon. Members were aware that an Act already existed by which anyone

firing a gun upon or within 25 yards of a highway was liable to a fine of 40s. And when it was argued that the Bill would prevent accidents by the careless use of fire-arms, it should be remembered that such accidents were much more common in "the house and the curtilage thereof" than they were in the field. It was not for him to criticize the Act of a Liberal Government for placing a tax upon the staple trade of mighty Birmingham, but he did believe it would be as unpopular, as it would be unfair, to impose restrictions upon the honest livelihood and innocent pleasures of the lower middle class. He could not forget the happy days he passed in his school holidays when he shot wood-pigeons, fieldfares, and rabbits; and he knew a farmer would look twice before he paid 10s. each for his sons to carry a gun. But his chief objection to this Bill was that it imposed a new agricultural tax, for it was not to be supposed every able-bodied farmer would turn crow-boy, and if any other hands than his own used a gun for the purpose of scaring birds he must pay the 10s. licence. He contended that a gun was absolutely essential to a farmer; that, as it had been said by his hon. Friend the Member for Bedford, Government might as well impose a tax upon a plough. The only bright spot that he could see in the Bill was that it would discourage poaching. As it originally stood, he had expressed an opinion that it would lead to the destruction of all outlying game; but the retention of the game certificates would prevent that evil. The professional poacher would no doubt pay the gun tax with even more readiness than he did the old game certificate. On the other hand, the pot-hunter and the hedge-poacher would find his occupation more difficult; but, as that was in favour of the preservation of game, it might not commend itself to hon. Members opposite. He thanked the Chancellor of the Exchequer for the attention to which he had listened to his suggestions, and for the concessions the right hon. Gentleman had made. He had no fault to find with the Government, for they made no move to rescind his Amendment which would have exempted all occupiers of land from a tax on crow-guns. That Motion, which was carried last night, came from the county Gentlemen who sat around him, and he knew full well that the British farmers



when they paid the new tax would think with pain and grief that it was their own friends who voted against exempting them from this fresh burden. He could not understand how it was that so many Conservative Members had made such a mistake; he however feared the truth was this—that although they loved their agricultural constituents much they loved their game ten times more.

MR. P. A. TAYLOR said, he regarded this measure as obnoxious on several grounds. First, it was a concession on the part of the Government to the game preservers. Secondly, it was unconstitutional, in that its effect would be to disarm the country to a great extent; and in the present disturbed state of Europe he thought it well that every ploughboy in the land should know how to aim a gun and pull a trigger. Thirdly, the incidence of taxation it proposed was excessively unfair, it being in the nature of a poll tax. And, fourthly, from the frequency and impunity with which its provisions would be evaded, the passing of such a measure as this had a tendency to induce a contempt for the law, and break down the minor morals of the population.

SIR HENRY SELWIN-IBBETSON said, as being no preserver of game, he had no such motive in supporting this Bill as that attributed to its supporters by the hon. Member for Leicester (Mr. Taylor). He believed the hon. Member for South Norfolk (Mr. C. S. Read) had misrepresented the motives of those sitting on his own side of the House who supported the Bill. For his own part he did not believe that the Bill would in any way promote the preservation of game. He supported the Bill on the sole ground that it would prove useful in securing a registration of arms in this country.

MR. PELL said, he regretted that so many hon. Members should have misunderstood the object of the Amendment which he moved on a former occasion, and that some of those who had supported it when first proposed should afterwards have voted against it. He objected to this measure because he believed it would be constantly evaded, and because he believed any system of legislation having that result to be bad.

MR. WHALLEY said, he considered that the measure was uncalled for and not justified on any principle, financial

or otherwise. Its provisions were aimed at the most orderly and peaceable portion of the community.

VISCOUNT GALWAY said, he must protest against Norfolk being regarded as England, and he thought it unfair, after the concessions made by the Chancellor of the Exchequer, that hon. Gentlemen should characterize this as a bad Bill. He voted originally for the Amendment of the hon. Member for South Norfolk (Mr. C. S. Read), which had been reversed; but when he found that it would make a distinction between rich and poor he voted that it should be struck out. He thought the Bill, on the whole, would work fairly, and he therefore should support it.

MR. FORDYCE said, he should oppose the Bill, which he regarded as a Game Law Bill in disguise. He spoke on behalf of a large agricultural county (Aberdeenshire). Should the Bill be passed it would be very disastrous to the Liberalism of Scotland.

MR. MACFIE said, the 10s. tax would operate unjustly and unequally between the rich man and the poor. He held that in these times that man was the best friend of his country who encouraged every honest man, young and old, to accustom himself to the use of arms. He (Mr. Macfie) had no fear of the people, and he must deprecate the taking away from them of a privilege which from time immemorial they had enjoyed in this free and happy land.

MR. CRAUFURD said, that this was a retrograde step in legislation. Game preserving would be favoured by it. One reason, perhaps, which the right hon. Gentleman (the Chancellor of the Exchequer) who differed from many who sat on the same Bench, had for introducing this measure was that he had no confidence in the democracy, and was therefore anxious to promote any legislation which would take away the power of reaction from the lower orders. This was a Bill full of exceptions. Why was not the Volunteer to pay 10s. for his rifle, while his neighbour who might be poorer had got to pay the tax? The Bill was against the unanimous opinion of the best supporters of the Government. In order that a Division might be taken upon it, he would move that the Bill be read the third time upon this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Craufurd.*)

MR. SCLATER-BOOTH said, he thought the Government had been very unjustly attacked on this occasion. He should support the Bill, although he did not agree with all its details. The Bill had lost a great deal of its original character; but the Chancellor of the Exchequer had gone a long way to meet the objections of country gentlemen, had reduced the tax from £1 to 10s., and had made a number of concessions which would improve the working of the measure.

MR. KINNAIRD said, that the Bill would fall very hard on the farmers, many of whom made no use of guns themselves, but employed persons to kill vermin on the land. As the Bill had given great dissatisfaction to the Scotch Members, he begged to suggest that Scotland should be omitted from its operation.

MR. J. WHITE said, he must express his regret that this Bill should have been introduced by the Government. There was a very ugly look about it, and although he had no apprehension of any invasion of our liberties by the Liberal Government on that Bench, yet it had always been a distinguishing mark of this country that the people might possess arms, and this Bill was a very grave invasion of what was always meant to be a common right. He recollected having read in his youth, in Aristotle, or some other teacher of the science of politics, that the distinction between a tyranny and a free country was this—that in a free country the citizens were allowed to have the free use of arms; but in a tyranny the use of arms was forbidden. On that account he was very sorry this distinguishing characteristic of our country should be invaded or set at naught. Though not an alarmist, he should be glad if every adult in this country at the present moment possessed a rifle, and knew how to use it. He trusted that it was not too late for the Government to reconsider their position, especially when they took into account the events now imminent on the Continent.

MR. SINCLAIR AYTOUN said, that the conduct of the Government with re-

gard to the Game Laws, taken in connection with their conduct with respect to this Bill, would excite the greatest possible dissatisfaction.

MR. PARKER said, he would suggest that it was not even now too late to withdraw the Bill.

THE CHANCELLOR OF THE EXCHEQUER: Sir, this Bill must stand or fall by the provisions it contains, and not by the motives of those who introduced it. I can assure my hon. Friends that there is no Gentleman in this House more innocent of any intention of propping up the Game Laws than myself. I do not care a pin for the Game Laws. One reason which I had for imposing an uniform tax of £1 on fire-arms was that I should have been very glad to separate any question of Revenue from the Game Laws. The less the collection of the Revenue is mixed up with matters that excite difference of opinion the better; and, therefore, I should have been very glad if I could have removed these questions of taxes on fire-arms to a less passionate arena than now exists. However, the opinion of the House is entirely against that, and I had no choice. The object of the Bill is to check lawless habits. In answer to those who say it is a sign of freedom that the lower classes should go armed, I say it is the greatest proof of the absence of freedom when every man goes armed. What is the use of civilized institutions, of assemblies like this, of law and of Judges, and of all the paraphernalia of justice, if all it comes to is that every man is to be left to be the avenger of his own quarrel? You might as well go and live with the Sioux Indians, who are not embarrassed with all this trouble, and who are not called upon to sit here all day and all night. If every man is to carry a deadly weapon, and is to be a law to himself and to his neighbours, there is no end of confusion. No doubt, at the time of the Plantagenets, when the King ruled by an immense body of troops whom he kept continually about him, as a check upon the encroachments of the King, every man did carry arms, so as to rise in rebellion and coerce the King when he went beyond public opinion; but, happily, in our times, as for the last 100 years, we act upon a better plan; we have allowed the nation to be represented here; and instead of fighting out our quarrels in the open field, we settle

*Mr. Craufurd*



them over this Table. Why men should think it a retrograde step to restrict by a moderate licence the indiscriminate carrying of arms I cannot for a moment conceive. I am sorry I cannot tell the hon. Member for Brighton (Mr. White) where he read the passage he cited, and if it were not for the high authority I attach to his accuracy, I should have thought he never read it at all. I think, however, I know what he was referring to. Aristotle does call it a sign of tyranny for a King to be defended by strangers, because he cannot trust his own subjects, and a sign of a free country that a King should be guarded by his subjects. That is different from every man being armed. When I introduced this Bill, I quoted a passage from Thucydides, where he speaks of the free Athenians being the first among the Greeks to give up the habit of wearing arms, whereby life became more civilized and humane. I think it is a good object to discourage the lower classes from habitually carrying deadly weapons. Though I care nothing about the Game Laws, on behalf of the morality of this country I wish to keep the poor out of crime. It is a good object to prevent poaching as far as we can, and there is no sentiment more mawkish than that of investing the practice of poaching with any sort of romance. It may do for making pretty stories and idylls; but nobody knows better than I do—for few have seen more desperate criminals than I have—that poaching is the beginning of all wickedness. You begin with the boy in the field; you put a gun in his hand to frighten away the birds; at first he is so frightened that he dares not lift it, and he rests it against a gate and shuts both his eyes when he fires. He soon gets over that, and gradually he becomes a marksman. Sport is a natural taste with almost every Englishman, and the youth goes on from one thing to another until he becomes a poacher. He gets into bad society, makes criminal associates, and goes from bad to worse, until he is happy at finding himself in Botany Bay. I wish to check that kind of demoralization, without reference to the Game Laws, and we cannot do anything more efficient to check it than putting a moderate restraint upon the use of fire-arms. If a man wants to use fire-arms in the defence of his country he can join a

Volunteer Association. This habit of carrying fire-arms has grown inveterate, until in London there are 100 complaints a day of persons shooting everything which comes in their way, such as pigeons, fowls, and cats. It seems to me that the thing has become perfectly intolerable; and, having a due regard to the interests of the Exchequer, I propose to keep people as far as I can out of crime, and to prevent them disturbing the peace of the country.

MR. NEWDEGATE said, they were not legislating for Greek republics, and there were others besides little boys in the country; therefore, while giving the Chancellor of the Exchequer all possible credit for paternal considerations, he must oppose the Bill. The Chancellor of the Exchequer ought to limit the provisions of the Bill he introduced to financial objects, and ought not to trespass upon the domain of the Secretary of State for the Home Department. This Bill, he (Mr. Newdegate) believed, was preliminary to an Arms Act for England. Hitherto we had passed Arms Acts for Ireland, because of Fenian outbreaks; but there had been complaints of the restraints imposed upon the Irish people, because there were others besides little boys and Fenians in Ireland. In a financial point of view there was no justification for this Bill, which was a police measure introduced by the Chancellor of the Exchequer. It would impose undue restrictions not only upon little boys, but upon grown men, and it would seriously affect the trade of large centres of population.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 179; Noes 50: Majority 129.

Main Question put, and *agreed to*.

Bill read the third time, and *passed*.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### STATUE OF VISCOUNT GOUGH.

##### MOTION FOR AN ADDRESS.

COLONEL NORTH said, he rose to move that an humble Address be presented to Her Majesty, praying that She

will be graciously pleased to direct that sufficient gun-metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I. The committee for the erection of this memorial statue had applied to the War Office for the necessary gun-metal, which Mr. Foley, the sculptor, estimated at about eight tons, and the answer received was that a free issue could not be given, but that the metal required could be had at £70 per ton. The services of Lord Gough extended over a period of no less than 75 years. Previous to the Peninsula War he had served at the capture of the Cape of Good Hope, at the capture of the Dutch fleet in Saldanha Bay, in the attack on Porto Rico, and at the capture of Surinam. During the Peninsula War he commanded the 87th Regiment, which had since been named the Royal Irish Fusiliers. At Talavera he had a horse shot under him, and was afterwards severely wounded in the side. For his conduct in this action the Duke of Wellington subsequently recommended that his lieutenant-colonelcy should be ante-dated to the date of his despatch, thus making him the first officer who ever received brevet rank for service performed in the field at the head of his regiment. At Barrosa his regiment captured the eagle of the 8th French regiment. At Tarifa he was wounded in the head. At Vittoria his regiment captured the bâton of Marshal Jourdan. At Nivelles he was severely wounded. Lord Gough also was present at Orthes and Toulouse. In 1841 he commanded a land force at Canton, and was made a G.C.B. In 1842 he commanded our land forces during nearly the whole of the operations in China, and was made a Baronet. In 1843 to 1849 he commanded the British troops in India, and after a succession of victories over the Sikhs, he was raised to the Peerage, being made a Viscount after the crowning victory of Gujerat. Only eight tons of gun-metal were asked for, and it was right to state to the House that Lord Gough had on various occasions captured no fewer than 1,415 guns, of which 536 were brass and 879 were iron guns. Mr. Foley, a most eminent Irish sculptor, had undertaken to make the equestrian statue, and he (Colonel North) could not believe that the British House of Com-

mons would refuse the eight tons of metal necessary for a purpose which would be most gratifying to the Irish people. He concluded by moving the Address.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I.,"—(*Colonel North*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. W. H. GREGORY said, he hoped the Government would not refuse to accede to the Motion of his hon. and gallant Friend. This was an appeal which should not be made in vain. It was the voice of all Ireland that spoke—Whig and Tory, Protestant and Catholic, all were united to do honour to that gallant old warrior, who, when living, was the pride of his country from his great military exploits, who was the joy of all around him from the simplicity and generosity of his character, and whom no Irish—aye, or English—soldier who had served under him ever passed without touching his hat and saying—"Long life to him—God bless him!" Such men as these their countrymen delight to honour, and now they had all classes and persuasions of Irishmen paying in their contributions for a national monument to Lord Gough. Everyone who had connected himself with the undertaking had acted with generosity and public spirit. The contributions were liberal considering the means of the contributors. The corporation of Dublin had offered any site in Dublin which the committee might select for the erection of the statue. Mr. Foley, the eminent sculptor to whom the work had been intrusted, had offered, in case the statue were to be made equestrian, to charge nothing, save expenses out of pocket, for the construction of the horse. In only one quarter was a niggardly spirit to be traced, and that was in the Government of the country whose Eastern Empire was rescued from the greatest peril by the achievements of Lord Gough.



The Treasury had refused to grant four or five guns for the metal work of the statue. If that were not granted the statue could not be equestrian, and the monument would be deprived of the grandeur and dignity which it ought to possess. Were they asking an unprecedented boon? He believed they were not. He was informed that the Government had sanctioned the issue of 40 tons of gun-metal for the statue of the Prince Consort just about to be erected in the Park, and a grant of gun-metal was made also for the statue of Lord Hardinge. And the Government had done right. He contended that the Government of the country would always do well by coming forward on occasions such as this, when a feeling so universal prevailed as to the claims of a great citizen for posthumous honours. It was easy to separate those occasions which were a nation's duty and a nation's will from those cases where affection or vanity or interest proposed a monument. His hon. and gallant Friend and himself were not the mouthpieces of a few devoted friends and admirers, but of the whole of Ireland. Well, indeed, might Lord Gough's services, as detailed by his gallant Friend, seem to warrant this claim. If Vendôme was called the "Tapisseur de Nôtre Dame," the "Up-holsterer of Nôtre Dame," from the banners and flags of enemies with which he decorated its walls, so might Lord Gough be called "The Purveyor of Woolwich Artillery Yard," from the number of guns which he captured in war and made over to the arsenal—something approaching 1,400, according to the statement of his gallant Friend. Not one shilling of prize money did Lord Gough receive or ask for on account of these spoils of war, of which the country has had the glory and the benefit; and now he (Mr. Gregory) asked, when it was a question of half-a-dozen useless guns in order to make a worthy national monument, were they going to refuse a nation's request with the reply that they were too poor to do honour to this great old captain, or too pedantic to relax an imaginary rule?

COLONEL SYKES said, he had had the honour of Lord Gough's acquaintance for many years, and he had never seen a man who was more completely the type of a soldier for his frankness, his straightforwardness, and resolution of

purpose. Lord Gough had rendered great services, and it would be a disgrace to this country if the paltry amount of a few tons of metal needed for his statue, and which were lying like lumber in the yards at Woolwich, should be refused.

MR. STANSFELD said, he trusted that his reply would not come under the character of being pedantic, but he must observe that the Motion amounted to a demand for public money; and it was his duty to state the conditions and regulations which had been adopted not by the present Government, but by preceding Governments, with respect to demands of this nature. He had not the Papers by him, and he might be wrong as to a year or two; but, if his memory served him aright, the last occasion on which a direct grant of gun-metal was made was in 1858 for a statue of Sir Isaac Newton at Grantham. The matter was considered not in reference to the question whether or not, or in what cases it was desirable to make these contributions, but in reference to what his hon. Friend called technical and pedantic considerations. It was felt not to be advisable that the War Office, whose function was not to make public grants either of money or money's worth, should be permitted, as a matter of departmental discretion, to give away a portion of the stores it held on the part of the nation for a specific purpose; and the Treasury decided that, whenever it should be thought proper to make grants of gun-metal, a Vote should first be taken for the cost of the guns as old metal, and that the War Office should be repaid out of that Vote for the amount of stores taken from its possession. Of late years further change had been adopted. It had been thought advisable to put the thing on a still more distinct ground, and to say—"If you want the metal, you may buy it of the War Department or elsewhere; but if you come to the Government for a grant of what, practically speaking, is money, you must ask for money, and not for the money's worth." If it was thought advisable to ask the Government to aid in the erection of a statue, the request must be addressed to the Government in an explicit shape. Government must be asked for a Vote of money, and then they knew what responsibility they undertook in that respect. They must propose a Vote

to the House of Commons, and the House of Commons would know what amount, if any, should be granted. Without at all entering into the question whether it was advisable that the House of Commons should be asked to grant a sum of money for such a purpose, he must remind them that, in recent times, in a very notable case, a grant of this kind had been refused; no public grant had been made for a statue to the memory of the most eminent scientific man of the day—Mr. Faraday. An application for gun-metal for a statue to Lord Palmerston had also been refused. He hoped the House would not assent to the Motion in its present form, because to do so would go to upset and rescind the resolutions at which successive Governments had arrived on this question during the last ten years.

SIR PATRICK O'BRIEN said, that the two cases to which the Secretary to the Treasury had referred were those of civilians, but the case of Lord Gough was widely different. This was not a mere question of pounds, shillings, and pence; it was intimately connected with the military honour of the country. He had heard appeals even from the Treasury Bench made to the military spirit of the nation, and to refuse this grant to the unanimous desire of the Irish people in memory of the illustrious hero of Gujerat would, in fact, be ignoring that very martial spirit to which they at other times thought it becoming to appeal. If the Treasury were willing to give the money it would not be regarded by those who took an interest in the statue as at all commensurate in value with the gun-metal which was asked, and which would form the most appropriate national contribution.

MR. SERJEANT SHERLOCK said, he could not help thinking that the grounds on which the refusal of the Treasury had been put were not only pedantic but penurious. The people of Ireland took great interest in this matter. But Lord Gough was not merely an Irishman; as a soldier he had shed lustre on the arms of England. Where all united in the application it ought not to be met on technical grounds.

THE CHANCELLOR OF THE EXCHEQUER said, there was not the least wish to be either penurious or hypertechanical about this matter, but now that very strict methods were adopted in the care

of public stores and the audit of public accounts the precedents of old times did not apply, and the old plan with regard to these appeals was quite different from the present practice. The old notion was that the War Office held these stores as a sort of property of their own, and when a monument was to be erected to any distinguished soldier like Lord Gough, application was made to the War Office for assistance, and a subscription was made out of these stores in the mode recommended by the hon. and gallant Gentleman (Colonel North). But now the stores must be accounted for as money, and the Government had no right to take and appropriate them to any purpose other than as directed by a Vote of the House. It would be a proceeding directly in contempt of the House. It was not that they wanted to throw any obstacle in the way of the erection of the proposed statue, or to oppose the wishes of the House; but they could not, consistently with their duty, accede to the present Motion. Lord Gough was distinguished for his devotion to the public service, and he was one of the last men who would wish that any violation of the rules of the public service should occur in any matter relating to himself. Whether it would be right that the country should subscribe to a statue to commemorate the services of a great and illustrious soldier like Lord Gough was a question which it was fair and reasonable for the House to consider; and what he would undertake on the part of the Government was to make an estimate of what was wanted and to bring before the House a Vote on the subject, and let the thing be considered on the question of a money grant. But the Government could not take these stores and give them away. He doubted whether that could be done without an Act of Parliament. If the hon. and gallant Member would be so kind as not to press his Motion the Government would give the House the fullest opportunity of considering the question.

DR. BALL said, he did not see how the accounts could be deranged by giving this grant in gun-metal instead of in specie. He had no doubt the Resolutions alluded to by the Secretary to the Treasury were mere departmental resolutions, and did not bind Parliament at all. It might be for the convenience of the Treasury that a certain form of ac-



count should be adopted; but was there any Act of Parliament to preclude their adopting the course which had been followed on former occasions, when gun-metal was given for the statue of Lord Hardinge, again for the statue of the Prince Consort; and, thirdly, when the actual cannon taken in the Peninsula were used for the statue of the Duke of Wellington in Hyde Park. For his part, he believed that a mere gift of money would not be satisfactory. Indeed, he went further, and said that the proper material was the actual cannon taken. With the number of cannon mentioned by his hon. and gallant Friend as having been taken by Lord Gough at this moment in the possession of the nation, were they to be told by the Government that though they were willing to make a money grant, they would not give them that miserable grant of eight tons weight of metal? There was a strong feeling about this matter. There had been a very strong expression of opinion upon the subject throughout Ireland, and in the metropolitan city of Ireland a meeting, to which his hon. and gallant Friend (Colonel North) had referred, had been attended by men of the highest station and position in the country, and a demand was made, in the strongest terms, that the metal of some of the guns actually captured by Lord Gough should be applied for this purpose. No doubt, the Chancellor of the Exchequer had now promised to assent to the proposal, if it were made in another form and in another way. The right hon. Gentleman had given that assent after a great deal of pressure from Irish Members on his own side of the House; but it should be remembered that not even a hint of that kind was given in the replies to the committee, when they made applications about this statue. On the contrary, the tenour of the reply was—"Buy the metal for yourselves;" or, "We will sell it you, you finding the money, at the rate of £70 a ton." That was the answer given by the Government to the simple demand of the Irish people. What had the Government done with the cannon? They had given cannon to be placed in the different towns in Ireland. He had seen them rotting in the open air, utterly useless for every purpose except to be looked at. Surely they could afford to give guns for a noble purpose like this.

Where there was a will there was a way. It was in the power of the House to cut through these Resolutions, and to declare that the recognition of the services of this great man should be made in the manner proposed by his hon. and gallant Friend.

MR. MAGUIRE said, he was sorry that the right hon. Gentleman at the head of the Government had not been present throughout the debate, because the right hon. Gentleman had a strong feeling of sympathy with the Irish people, and was always actuated by a generous policy. It was difficult thoroughly to appreciate the peculiar circumstances of the country at this moment. Though every man would pray that we might not be dragged into a frightful and prolonged war, there was no knowing how soon we might be obliged again to resort to that part of the Empire which, in former times, had furnished some of the best of our soldiers. It would be easy, however, to conceive the gratification of the peasants of Tipperary and Conemara, and the readiness with which they would respond to such a call, should they be told that when it was intended to do honour to the memory of the great old Gough, the noble old Irish soldier, there was in the way some wretched cobweb, some piece of red tapeism, over which they not only broke their own noses, but even brought dishonour upon those with whom they acted. They utterly refused a money grant. They were not so poor in Ireland that they could not raise £500 for this object if they required it; but what they wanted was this special mode of honouring a man who had done honour and service to his country and the Empire. If a country did not wish to do honour to its great men the spirit of the nation was gone. He would remind the House that no difficulty was found in the way of supplying gun-metal for the purpose of erecting a statue to the memory of Sir Titus Salt's father, who certainly had done nothing requiring that he should be honoured by the employment of material earned by the blood of British soldiers. In his own city (Cork) there were guns which had been taken from the Russians; and he believed that if these guns were generously given it would be better than 10 recruiting sergeants.

MR. GLADSTONE said, he was very sorry to do anything which might put an end to a debate which had led to the exhibition of so much patriotic eloquence. No one who had listened to the earnest and able speech of the right hon. Gentleman opposite (Dr. Ball) would have dreamt that it proceeded from one of his profession or judicial character, while the spirit displayed by the right hon. Gentleman had been equalled, if not surpassed, in the remarks of his hon. Friend the Member for Cork (Mr. Maguire). His hon. Friend talked with contempt of money; but still gun-metal was money, and to overlook that fact would be a breach of duty on the part of the Government. There were two distinct questions before the House; but there was really no substantial matter between them over which there need be any quarrel. One question was—was it desirable to make a contribution at the public charge to the statue of Lord Gough? and the other was—if so, was it desirable to make that contribution in the form of gun-metal? Now, he felt sure that hon. Gentlemen would not wish the Government to break down a rule which had been one of the most difficult achievements of financial reform during the last half-century—the rule that none of the public property should be disposed of in kind. The effect of that mode of disposing of public property was that when anything was given away, the public had no means of knowing when it was given, or of knowing what was given. If there were a corrupt motive influencing the Government their course would be to rush into the arms of his hon. and gallant Friend (Colonel North), and thank him for his Motion. They might establish all the rules of account they liked; but if the House once allowed a Government to do what it pleased with public property in kind without making any account, they did all in their power to promote a system by which the plunder of public property could be carried on to any extent. As to the Government making a contribution to Lord Gough's statue, he was sorry that the matter had never been brought before himself, or his right hon. Friend near him (the Chancellor of the Exchequer), except in the form of an application for gun-metal, an application which their duty absolutely precluded them from complying with. It

*Mr. Maguire*

had been asked what had become of the old cannon captured in the Russian War, and it was urged that a great mistake had been made in distributing these trophies all over the country. He confessed he himself held that opinion, and was sorry that that plan had been adopted. But he did not think that was a precedent which should be referred to. It was only of late years that the old vicious system of dealing with public property in kind had been scotched; but the rule had now been well established. With reference, however, to his hon. and gallant Friend's Motion, it was not necessary that the Government should be asked to break through any rules. He confessed he saw nothing improper in their making a contribution towards the statue of Lord Gough. He was afraid, however, that, having said that, he should shock his hon. Friend the Member for Cork by saying that that contribution must, in the first instance, be a contribution in money. But there was further not the slightest objection to pursuing a very simple operation in stating that a certain quantity of gun-metal should be given, the grant being accounted for in money. He would suggest that the hon. and gallant Member should either withdraw his Motion or consent to an Amendment, for there would be no objection on the part of the Government to an Address praying for the gun-metal to be issued, and adding—"and that this House will make good the cost of the same," by which means they would avoid breaking through the present system of administration.

COLONEL NORTH assented to the addition of these words.

Amendment, by leave, *withdrawn*.

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I., and that this House will make good the cost of the same,"—(*Colonel North*),

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Words added.



Main Question, as amended, put, and agreed to.

*Resolved*, That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I., and that this House will make good the cost of the same.

*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £4,072, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue."

MR. ALDERMAN LUSK said, he would move the omission of the item of £217 13s. for providing Queen's Plates. Horse-racing led to betting and gambling, against which the House should set its face.

Motion made, and Question proposed,

"That the Item of £217 13s. for Queen's Plates, be omitted from the proposed Vote."—*(Mr. Alderman Lusk.)*

MR. R. N. FOWLER said, he should vote for the reduction of the Vote, for there was no doubt that the system of betting upon horse-racing was doing immense mischief in this country.

MR. P. WYKEHAM-MARTIN said, he was told last year that no Queen's Plates were voted in England. Why, then, should money be voted to Scotland and Ireland to provide them?

MR. M'LAREN said, he agreed that the three kingdoms should be put on a footing of equality in this respect, and he should quite approve of the item being struck out of the Vote if the same measure of justice were applied to Ireland. He wished to know whether Government had taken into consideration the recommendations of the Department Commission with regard to this class of expenditure in Scotland?

MR. ANDERSON said, he was opposed to any Vote for horse-racing. The money was originally given to improve the breed of horses; but the modern system of horse-racing had had a contrary effect.

MR. W. H. GREGORY said, he never saw in the newspapers any betting quotations for the races to which objection had been made, and these races tended to improve the cultivation of stamina and endurance in horses. There was now a great desire to revert to long races, and he hoped the efforts of the turf reformers would be successful. At the present moment it would be better not to do away with those Plates, for he did not think equality would be promoted by striking out the Queen's Plates for Scotland and Ireland as long as the Queen's Plates for England were paid for out of the Civil List.

MR. STANSFELD said, he was unable to agree entirely with either side on this question. He did not think these Plates encouraged gambling, and he certainly did not think they could do much to improve the breed of horses in the country. He was not particularly enamoured of this item, and the main reason for retaining it was its antiquity, these Plates having come upon the Estimates from the Hereditary Revenue, and having been given by the Crown or Parliament consecutively, the Edinburgh Plate since 1726, the Caledonia Hunt Plate since 1788, and the Archers' Plate since 1677. What the Government were anxious to do, however, was to collect Scotch opinion on the subject, and be guided mainly by it.

MR. CRAUFURD said, that for the last few years the opinion of the Scotch Members had been against the grant. If the Government was to be guided on that occasion by the opinions of Scotch Members alone, they declined the grant altogether.

MR. MACFIE said, he was for continuing it for another year.

MR. STANSFELD said, he thought there was a clear balance of Scotch opinion against the Vote, and he would, therefore, withdraw it.

MR. W. H. GREGORY begged to say that the balance of Irish opinion was decidedly in favour of the Vote.

Question put, and *agreed to*.

Original Question, as amended, put, and *agreed to*.

(1.) £3,854 7s., to complete the sum for Exchequer and other Offices, Scotland.

(2.) £9,312, to complete the sum for Fishery Board, Scotland.

MR. M'LAREN said, he would beg again to ask the Government whether they meant to deal with these Boards in accordance with the recommendations of the departmental Commission that had made its Report some time since?

MR. STANSFELD said, the Government were waiting to consider the Report which had just been, or must soon be, presented by the Committee on the Poor Law Board, when all these subjects would be considered together.

MR. MACFIE said, he thought the Vote of £3,000 for the repair and enlargement of the Fishery Harbours should be augmented.

MR. M'LAREN said, he disapproved of this Board altogether. There was no more reason for the Government interfering with the fishery trade than there was for interfering with the cotton trade.

*Vote agreed to.*

(3.) £4,867, to complete the sum for General Register Office, Scotland.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £4,046, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Board of Lunacy in Scotland."

MR. CRAUFURD said, that he had some time since given Notice that he should move to reduce the Vote by £1,000, on the ground that the Government had taken on itself to fill up a vacancy in the Department without waiting for the Report of the Committee on the Scotch Poor Law, and the non-reporting of which his hon. Friend now alleged as a Reason why Her Majesty's Government had not dealt with this departmental report. It was very extraordinary that one Department of the Government should act in defiance of the recommendation of another Department, without waiting for the Report of the Committee upstairs; and that another Department of Her Majesty's Government should state here as a reason for not taking into consideration the recommendation of their own Commission, the fact that the Committee upstairs

had not yet reported. He should not, however, press his Motion; but early next Session, when the Report of the Committee had been in the hands of Members sufficiently long to enable them to carefully consider the evidence, he should call attention to the whole subject, and he thought he should be able to show that it would be expedient to amalgamate this Board with the Board of Supervision. He would not press the subject further, because time would not allow; but when he came to lay before the House the manner in which Scotch Members had been treated by the Government in that House, and by a Cabinet Minister in "another place," and when they reflected on the manner in which Scotch Business had been treated that Session, he thought that he should be able to show strong arguments against similar treatment in the future.

THE CHANCELLOR OF THE EXCHEQUER said, the Report of the Departmental Commission had satisfied the Treasury that the Scotch Boards were very well managed, and that there was no reason to make any great change.

*House resumed.*

Resolutions to be reported upon *Monday* next;

Committee also report Progress; to sit again *this day*.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### SALARY OF THE FIRST LORD OF THE TREASURY.—OBSERVATIONS.

MR. LAMBERT, who had given Notice to draw the attention of the House to the salary of the First Lord of the Treasury, and to move that, in the opinion of this House, it is inadequate, and ought to be increased to £8,000 per year, said that nothing had been further from his intention than to withdraw the Motion which he had on the Paper, and nothing should have induced him to do so, from the general support which had been promised to it by Members of this House, and which would have insured its being carried, had he



not had a communication from the only quarter which could influence him, which induced him to withdraw it in its present form, which he did with great reluctance. He should not, however, let the subject drop, and now begged to give Notice that he would, at the earliest period next Session, move the following Motion:—

“That a Select Committee be appointed to inquire into the salary of the First Lord of the Treasury, and other official salaries.”

#### ARMY—OFFICERS OF VOLUNTEER CORPS—EVESHAM RIFLE CORPS.

##### RESOLUTION.

MR. P. A. TAYLOR said, he rose to call attention to the circumstances under which two tradesmen of Evesham had been refused commissions in the Rifle Corps on account of their social position. About two years ago the Evesham Rifle company was, through unwillingness to serve, left entirely without officers. After a great deal of persuasion, the Mayor consented to be the captain, and Messrs. Cox and Phelps, two of the most respected and respectable tradesmen of the town, were afterwards induced to allow themselves to be proposed as lieutenant and ensign. The commandant of the corps to which the Evesham company belonged, Colonel Scobell, wrote to the Mayor that their names had been placed before the Lord Lieutenant, but that his Lordship did not consider their position such as to justify their appointment to the rank of officers. The Under Secretary of State for War, with whom he (Mr. P. A. Taylor) had communicated on the subject, had informed him that that statement in Colonel Scobell's letter was not strictly accurate, no formal application having been made to the Lord Lieutenant; and Lord Lyttelton was certainly one of the last men whom he should have expected to act in such a manner. As far as he himself (Mr. P. A. Taylor) was concerned, he could only say that he was entirely disconnected with the part of the country in which the gentlemen in question resided. Their political opinions were, he believed, entirely opposed to his own, nor did he know until after he had given Notice on the subject that the Lord Lieutenant who was concerned in the matter was Lord Lyttelton. These gentlemen were absolutely unexceptionable. They were members of the Town Coun-

cil, and had been members of the corps ever since its formation in 1860, and their appointment was essential to the well-being of the corps; and nevertheless the commissions were refused simply on account of their social position. At a meeting of the Rifle Corps, resolutions approving of their nomination were passed unanimously, and those resolutions were concurred in by the previous captains of the company. He had, he might add, brought the matter under the attention of the right hon. Gentleman the Secretary for War, who had received him, as he did on all occasions, with a courtesy which was not remarkable in him, but which contrasted very favourably with the receptions of other right hon. Gentlemen who sat on the same Bench. As to the reason why the commissions had not been given there could be no doubt. He was informed by a gentleman resident at Worcester, that all persons resident in that city who were in a similar walk of life with those proposed for commissions were highly indignant at the affront put upon them; and the local Press had emphatically protested. He had heard that the real obstacle in the way of granting the commissions was the objection raised by certain officers of a neighbouring company, which constituted part of the same corps, the 2nd Worcestershire battalion. It seemed to him well-nigh impossible, however, that such a spirit of snobbery should prevail among gentlemen who only met for battalion drill during a few days in the year. Rank and station were regarded less and less every day in the Army and Navy and the Civil Service, and *a fortiori* they ought not to be taken into account in the appointment of officers to a popular body like the Volunteers. He might mention, also, that the system of exclusiveness, of which he complained, was not in operation in other parts of the country. His Worcester correspondent remarked, however, that “cathedral cities are always, more or less, aristocratic places, and we are no exception to the general rule in this respect.” Capacity for usefulness, and not social position, was the proper test of fitness in such cases. In conclusion, he begged to move the Resolution of which he had given Notice.

COLONEL BOURNE, in rising to second the Motion, said, he would lay before

the House the actual circumstance connected with this unfortunate affair. It was doubly unfortunate, because it happened at a juncture when we knew not what a day might bring forth, and it might tend to prevent a large number of those who took an interest in the Volunteer movement from joining it at the present time. In the first place, however, he might state that the Lord Lieutenant of the county had been somewhat unfairly treated, for, as far as he could learn, he was by no means to blame in regard to this transaction. He might remind the House that although all appointments of Volunteer officers were vested in the Lord Lieutenant, they in reality emanated from the colonels-commandant of the various regiments. Had the names of these gentlemen been properly placed before the Lord Lieutenant, he felt convinced there would have been no objection on his part to sign the commissions. The facts of the case were as follows:—Originally the Evesham corps consisted of about 100 members; but from one cause or another the officers gradually seceded from it. Two of them had held commissions in the Army, one having been a field officer. They found, however, that they could not give the time required for the discharge of their duties as Volunteer officers, and eventually it was found that the corps was dwindling down almost to nothing. Accordingly, a public meeting was called, at which there were present the major, the two late commanding officers, and the adjutant. The names of several persons were suggested for commissions, but they declined the proffered honour, and at last Mr. Phelps and Mr. Cox were induced by the meeting to allow their names to be submitted to the Lord Lieutenant for approval. Both of them, he might remark, were members of the Town Council, and highly-respectable tradesmen. Moreover, they had both served in the Volunteers since the commencement of the movement; both were sergeants, and one of them had acted as secretary of the corps; so that as far as drill was concerned they were highly efficient. It was with great reluctance that they allowed their names to be submitted to the Lord Lieutenant, and they only did so in deference to the wishes of their fellow-townsmen. Consequently, they had, in his opinion, been very hardly dealt with. Having himself

been a commanding officer of Volunteers, he might state that these two gentlemen would have conferred credit on any corps, and if they had offered themselves to his regiment he should have been exceedingly pleased. He trusted that on a reconsideration of the facts the Lord Lieutenant would be pleased to reverse the decision he had come to, and would now no longer hesitate to sign their commissions.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "to make the appointment of Commissioned Officers in the Volunteer force dependant upon social position would, in the opinion of this House, be at variance with the principles on which that force has been established, and on the maintenance of which the hope of its permanence mainly depends,"—(*Mr. Taylor,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LYTTTELTON said, he had no complaint to make as regarded the temper with which this question had been introduced, but an omission had been made in the statement of facts. There was no doubt that the Evesham corps had been languishing for a considerable time, owing to the deficiency in the number of its officers, and that, at a certain meeting, these two most respectable tradesmen were pressed to take commissions, and that eventually they consented to do so. The proposal that they should be appointed was, of course, discussed at the time, and Colonel Scobell, commanding the battalion, on hearing a statement of the facts from the adjutant, made a communication to his noble Relative, the Lord Lieutenant, informing him, without making any reflection on their respectability, that the appointment of these men would not be received with satisfaction by the battalion, and that, in fact, their appointment would be unpopular. The Lord Lieutenant, knowing that Colonel Scobell was a competent judge of the feeling in the corps, advised him not to send in their names formally to him, and their names were not sent in. The anticipations of the colonel were justified, as was proved by the fact that when it was known that such appointments were contemplated, dissatisfaction was expressed by the officers. The Lord Lieutenant having



received no formal recommendation was technically free from any part of the responsibility in the case; but he had no wish to escape from any responsibility which might be thought to attach to him. It had been the invariable custom for Lords Lieutenant not to send up to the War Office any names for commissions which had not been expressly recommended by the commanding officer of the battalion—and probably the House would not be inclined to disturb that rule—and fearing dissatisfaction would arise not only among the officers, but among the men, if these appointments were made, Lord Lyttelton, for the sake of securing the harmony and efficiency of the corps, did not wish to have the names in question recommended to him. He (Mr. Lyttelton) did not complain of the hon. Member for Leicester for having imputed a feeling of exclusiveness as to the motive which had actuated Lord Lyttelton—

MR. P. A. TAYLOR said, he had disclaimed any such belief.

MR. LYTTELTON said, those who knew the noble Lord would not suspect him of any aristocratic or exclusive basis in a matter of this kind. The Lord Lieutenant found the battalion had existed for 10 years in a high state of efficiency, and had never been officered from a class below a certain position, and he did not think it his duty to disturb that satisfactory state of things. He acted from no personal motive; and if the Resolution was adopted, as the feeling of the House seemed to be in its favour, the Lord Lieutenant would readily act in accordance with it, immediately the decision come to was conveyed to him through the War Office. For himself, he (Mr. Lyttelton) would add that, in his opinion, the principle of the Motion was in no way objectionable. He would be the last person to prescribe that want of high social position should disqualify a man from a commission in the Volunteer force. The state of affairs on the Continent impressed this upon him no less than the lamentable inadequacy of officers among Volunteers generally. [Colonel LINDSAY: No!] This was at least the case in his district. For these reasons he would be sorry to say "No" to the Motion; but, at the same time, he would deprecate its adoption as far as it might be construed into a censure upon the Lord Lieutenant. He there-

fore appealed to the hon. Member to withdraw his Motion, in the assurance that Lord Lyttelton would be the last man to allow want of social position to stand in the way of the real interests of the force, for whose harmony and efficiency he was mainly responsible.

MR. KNIGHT said, as the first Volunteer sworn in in Worcestershire, and the first colonel of the first battalion raised there, he wished to explain that the course adopted in most of the towns of Worcestershire had been to appoint for officers the natural leaders of the men—namely, the merchants, manufacturers, and professional men. All that Lord Lyttelton had to do in the matter was to appoint such officers as the commanding officer of the corps recommended. It was contrary to the principle that regulated Volunteer corps that persons who stood behind the counter should be appointed officers. As far as aristocrats were concerned there was only one in his corps, and that was the hon. Gentleman who had just addressed the House, who was his second major, and an excellent officer he was too. It was absolutely necessary that the officers of the Volunteer corps should be gentlemen who left their offices when the working men who formed the rank and file of the corps left their work, and to whom they were well known.

COLONEL LOYD LINDSAY said, that as a commanding officer of a Volunteer corps, he selected his officers not on account of their social position, but because they were the best fitted to perform the duties to be discharged. When men were serving their country as Volunteers they all stood upon an equal footing, whether they were the sons of Dukes or served behind a counter. The commanding officer in appointing officers must look to the efficiency of the regiment, and not to the social position of the candidates, and were he to appoint a man who had rendered himself unpopular among his comrades, he would be defeating that object. He apprehended that no Lord Lieutenant would refuse to appoint men recommended for commissions by the commanding officer of the corps, unless he had some very good and sufficient reasons for so doing. While fully concurring in the sentiment of the Motion, he trusted that the hon. Member for Leicester would be satisfied with the feeling he had elicited from the House,

and would withdraw it; otherwise he should feel bound to vote against it.

MR. CARDWELL said, he cheerfully admitted the temperate tone in which this question had been brought forward, and he thought that after the admirable speech of the hon. Member behind him, the son of the Lord Lieutenant (Mr. Lyttelton), and after the general unanimity of opinion which had been expressed by the House, the hon. Member for Leicester (Mr. P. A. Taylor) would not be inclined to press his Motion. He (Mr. Cardwell) was convinced that nothing could be more fatal to the efficiency and value of the Volunteer Force than the notion that commissions in it were to be given away not with the view to promote the efficiency of the service, but on the ground of social position and other accidental circumstances. Among the many advantages that the Volunteer movement had conferred upon the country was the signal one of having tended to obliterate social distinctions, and to remove mischievous and ridiculous feelings of caste among men mutually engaged in the pursuit of an object which conduced to their own recreations and conferred great benefit upon the country. The hon. Member behind him had stated the facts of this particular case, and had shown that his noble father had not, in the slightest degree, been actuated by the ridiculous notions to which he (Mr. Cardwell) had alluded. Indeed, Lord Lyttelton held too distinguished a place in the republic of letters to be encumbered with any such cobwebs of prejudice. He (Mr. Cardwell) was therefore certain that his noble Friend (Lord Lyttelton) had acted in the manner he believed would, on the whole, best conduce to the efficiency of the corps. The Regulations of the Volunteer Force had placed the power of recommending individuals for commissions in the hands of the Lords Lieutenant, whose practice it was to consult the commanding officer of the corps with reference to the character and the fitness of the applicants for the position they sought to obtain. He was sure that the hon. Member for Leicester, however much he might have disapproved the circumstances of the present case, would not desire to take this power of recommending persons for commissions from the Lords Lieutenant, who, by means of the commanding officers, ascertained the local feeling of the dis-

trict with respect to the fitness of the applicants much more accurately than the Secretary of State would be able to do. The hon. Member for East Worcestershire (Mr. Lyttelton) had said that Lord Lyttelton did not dispute the general bearing of this Resolution, but thought that if it were agreed to its effect might be misapprehended. The House was not under the necessity of expressing any formal opinion upon the Resolution, because the first Motion before them was that they should go into Committee of Supply. He was satisfied that the hon. Member had no desire that any slight should be shown to Lord Lyttelton; and as it was quite clear that Lord Lyttelton was perfectly free from any of those nonsensical notions which might be supposed to be entertained by persons inclined to oppose the Motion, he trusted that the hon. Member would withdraw it.

SIR JOHN PAKINGTON said, it was impossible for anyone who enjoyed the friendship of Lord Lyttelton to hear that anything like censure was about to be passed upon him without the greatest anxiety. As the hon. Member opposite (Mr. Lyttelton) was the son of the noble Lord, it was possible that some persons might think that the remarks he had made might be open to some suspicion, and therefore he (Sir John Pakington) felt bound to express an opinion upon the matter. He earnestly hoped that the explanation which had been given would be considered satisfactory by the hon. Member for Leicester. He could assure the hon. Member that no gentleman in Worcestershire would be found to join in a censure on Lord Lyttelton.

MR. P. A. TAYLOR said, he had stated distinctly that he had not the slightest intention of casting any reflection on Lord Lyttelton. When he gave Notice of his Motion, he did not know that noble Lord was Lord Lieutenant of Worcestershire; but the moment he heard that Lord Lyttelton was the Lord Lieutenant, he said he did not believe the mischief could be traced to him (Lord Lyttelton), as he was the last man in the country who would adopt an unworthy course. After the statement of the Secretary of State for War, he should ask leave to withdraw his Motion.

Amendment, by leave, *withdrawn*.

*Colonel Lloyd Lindsay*



## CASE OF MR. MASON.—RESOLUTION.

MR. SCOURFIELD said, he rose to call attention to the case of Mr. Mason, a candidate in the last competitive examination for employment in the Civil Service of India, and to move a Resolution thereon. The whole case rested upon the question whether a young man who was 16 years of age in 1864 was not more than 19 in 1870. The main proposition which he had to place before the House was that he must be. Mr. Mason, from whom he presented a Petition a few days ago, was the son of a bookseller; he was the first of the unsuccessful candidates, or, in cricketing language, what was called "the twelfth man." The gentleman before him was Mr. Borooah, and the case now put forward by Mr. Mason was that Mr. Borooah was disqualified by age. He had taken the trouble to go to the India Office, and he had examined *The Calcutta Gazette* and *The Calcutta University Calendar*, and he found that *The Calcutta University Calendar* for 1865 gave the name of Mr. Borooah as that of a gentleman who had taken the preliminary degree in the Calcutta University in the month of December, 1864, and *The Calcutta Gazette* stated that no one under the age of 16 could be admitted to that degree. One of the conditions of admission to the last examination for Civil Service appointments in India was the production of a certificate to show on the 1st of February, 1870, the candidate was above 17 and under 21 years of age. In the paper giving the result of that examination Mr. Borooah was stated to be 19 years of age. He had heard of a lady who, when interrogated as to her age, said—"Oh, no age in particular; the same age as anybody else." It was said of one eminent personage that—

"Panting Time toiled after him in vain;"

but Mr. Borooah seemed to be sometimes before Time and sometimes after him. The father of Mr. Mason, seeing the prize thus slip from his son's hands, felt himself aggrieved, and addressed himself to the Civil Service Commissioners; and he was told, in reply, that the matter had been duly considered, and that, as the result, Mr. Borooah appeared on the list as the successful candidate. Members of that House might differ on the subject of the Irish

Land Bill, or on that of Elementary Education; but he thought that all of them, of whatever party, must agree that, if Mr. Borooah was 16 in 1864, he must be more than 19 in 1870. There was no medium in competition; it must be perfectly fair, or it became a failure altogether. He was aware that the India Office could not interfere with the Civil Service Commissioners; but one man was as good as another in deciding upon the age of a candidate under such circumstances, and he thought that he was justified in placing the terms of his Resolution before the House.

## Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Civil Service Commissioners be instructed to produce the evidence in opposition to that afforded by entries in the Calcutta Gazette and Calcutta University Calendar, on which they considered Mr. Borooah (who was a successful candidate on the occasion of the last competitive examination for employment in the Civil Service of India, to the exclusion of Mr. Mason), duly qualified according to the existing regulations as to age, to become a candidate,"—(*Mr. Scourfield*),—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GRANT DUFF said, that the Civil Service Commissioners had no representative in that House. If they had, he presumed that representative would begin his speech by telling a story of a remarkable man who was said once to have addressed a young barrister in these words—"Avoid a logical fallacy as you would poison. The facts remain at your disposition." The fact which the hon. Gentleman (*Mr. Scourfield*) had not mentioned to the House—only, he was sure, because he did not know it—was that there was the greatest doubt as to what was meant by a native of India saying that he was 16. Strange as it appeared, they had the most conflicting evidence as to this most simple matter, some of the natives understanding the proposition as was the case in this country, while others thought it meant that he had entered on his 16th year; and he had no doubt the Civil Service Commissioners had had the same before them. However, as he had said, his business was not to answer for them; he answered for the India Office, which was only collaterally interested, and,

answering for the India Office, he regretted to say that he had little to add to what he said on that subject some days ago in reply to a Question which the hon. Gentleman put to him. The Civil Service Commissioners were not under the jurisdiction of the India Office. It was the India Office which, so far as the Indian examinations were concerned, were under their jurisdiction. Both this year and last very difficult cases had arisen with regard to the age of natives of India, and the Civil Service Commissioners, after taking the greatest possible trouble, had decided those cases in favour of the eligibility as candidates of the young Indians about whose age there was a doubt; and this, it was to be observed, they had done contrary to their first opinions upon the points raised. He was very glad that it had happened that they had decided that Mr. Borooah was eligible, for he was a young man of great merit, who, born in a very remote part of India, high up the Bramahputra, had distinguished himself at the University of Calcutta, had won a Government Scholarship, and had come over to this country to complete his education. He had no doubt he would make an excellent public servant. The fact which he mentioned the other day, that the Civil Service Commissioners had proposed to ask for certificates of age, signed by the proper local authorities in India, with respect to the age of the young men coming home to compete for our Civil Service and to accept them as final, showed that they had no desire to settle the troublesome and knotty questions which arose about the ages of natives of India, and the India Office, as in duty bound, would help them as much as it could, imitating therein the vast majority of Members of the House of Commons; for it was most remarkable and most creditable, considering what pressure was constantly brought to bear upon Members to get them to interfere in that House on behalf of disappointed candidates, that so few had thought fit to earn the gratitude of friends or constituents by attacking men who were raised by their position out of and above politics, and who could only discharge their duties efficiently if they were supported in their neutral and judicial position by all influential and responsible persons. He need hardly say he had no power to

Mr. Grant Duff

assent to the production of the Papers for which the hon. Member asked, many of which were of a confidential character. If the Civil Service Commissioners were required to give up Papers of this kind, they might as well abdicate the functions which they discharged so much to the satisfaction of the House and the public.

MR. G. B. GREGORY said, he thought it would have been more satisfactory if the hon. Gentleman who spoke last had told them on what evidence the Civil Service Commissioners had decided. The hon. Gentleman had claimed for those Commissioners something like infallibility, and spoken as if neither that House nor any other tribunal was to exercise control over them. The Mover of the Resolution had made out a *prima facie* case, and given substantial evidence of the age of that young man. The Civil Service Commissioners had ignored that evidence, and the House had not been told the ground on which they had ignored it.

MR. J. WHITE said, that the method adopted by the Chinese in calculating the age of a child had reference to the date of the accession of the reigning Sovereign. For example, if a child were born on the 31st of December, and that day happened to be the day of the accession of the Sovereign to the throne, the child would be considered one year old on the following day, the 1st January. The practice in India in that matter might very well be equally different from ours. He also thought that if the decisions of the Civil Service Commissioners were to be contested in that House the Commission would be worth nothing.

MR. SCLATER-BOOTH said, that nobody questioned the decision of those Commissioners in respect to the result of their examination; but this was a question of fact, and the Commissioners could not, any more than other people, make a youth 16 or any other age if he really was not so. It was immaterial what the habits of the Chinese or the Hindoos were in reckoning age. What had to be considered was the rules and regulations prescribed in this country in respect to the candidates at those examinations. Whether the Civil Service Commissioners were really in the irresponsible position described by the Under Secretary for India he did not know; but he should have thought they



were under the control of the Government of the day, or the Treasury, like analogous bodies. The bringing forward of that case was, in his opinion, perfectly justifiable.

SIR PATRICK O'BRIEN held that there was more in that question than the case of a mere individual. The Civil Service of India was now regarded by many young men in England, Scotland, and Ireland as a profession, and when the friends of those young men incurred a large expense in educating and qualifying them for that service, they ought to know that the rules and conditions of the examination were of an inflexible character. If errors were made and the Civil Service Commissioners were asked to correct them, the House ought not to be told that there was not a Department of the Government which could give any information on the subject. This case was not that of an individual, for the faith of all the young men in the country would be rudely shaken if no inquiry was to be made about the operations of the Civil Service Commissioners.

THE CHANCELLOR OF THE EXCHEQUER said, the question raised by his hon. Friend was one of very great importance, because it affected that system of competition which the Government proposed to extend. The issues were, whether an unsuccessful candidate should be allowed, after a competition was over, to go into questions relating to the qualifications of those with whom he had competed; whether the Civil Service Commissioners ought to be requested to give information about the facts on which they decided as to a candidate, and whether the House ought to assume the functions of an appellate tribunal from the decision of the Commissioners. The House, he contended, ought not to listen to the complaints of unsuccessful candidates, for although a case of hardship might occasionally happen, owing to a mistake having been made, yet he could not imagine that hon. Members could attend to it or do the justice which the case might require. There would be much less evil if they shut their ears to all complaints than if they allowed an appeal in any case; for as Civil Service appointments were very much sought after and great disappointment was frequently felt, if the House entertained such appeals, the number

of cases coming before it would be very great, and he contended that it was not properly constituted for dealing with them. It was important that the decision of the Civil Service Commissioners should be final in all cases, and it would be better for the interests of all concerned that they should be so. He happened to know that they took great pains with their decision in the case before the House; they took the opinion of counsel upon the facts, and by that opinion they were wholly guided. It was quite conceivable that they might commit errors, but it would be much better that those errors should remain unredressed than that the House should reopen the cases. One of the Commissioners was Sir Edward Ryan, who had been for many years Chief Justice of a Court in India, and was therefore most competent to decide in all such cases. One point for the consideration of the House was that the Commissioners had to consider other qualifications besides age—they had to inquire into the moral conduct and health of the candidates, and in the course of their inquiries they received a number of confidential communications which could not possibly be made public; and to insist that the evidence on which they acted should be given to the House would materially cripple them in the discharge of their duties. He, therefore, without pretending to go into the merits of the case, submitted that the wisest course the House could adopt was to lay down a rule that unless some charge amounting to misconduct on the part of the Commissioners was brought before them, they would not review these matters, and to resolve that it would be better for injustice to be done and errors committed than that uncertainty should be allowed to prevail; for nothing could be more injurious to the system of competition than that those who had accepted the terms should have a power of appeal. He, therefore, submitted to his hon. Friend (Mr. Scourfield) that it would be better for a hardship to be done in this case than that the House should assume a jurisdiction which it was not capable of exercising.

MR. D. DALRYMPLE said, he had rarely heard a doctrine so objectionable as that just laid down by his right hon. Friend (the Chancellor of the Exchequer). He dissented *in toto* from such

a doctrine. He saw no reason, if an injustice were known to have been done, that some attempt should not be made by the House to remedy it. The Civil Service Commissioners were not so exceedingly free from giving causes of complaint as the hon. Gentleman the Under Secretary for India seemed to think. He had had occasion to transmit complaints from a number of gentlemen who had come all the way from India, at a heavy expense, and at the sacrifice of the employment which they had been obliged to give up, to attend an examination which they were informed was to take place in July. On their arrival, however, in this country they were told that that examination had been postponed to another part of the year. If the errors of the Civil Service Commissioners were to be passed over, then the object of getting the highest class of native talent by means of competition would be defeated.

Mr. DILLWYN said, he believed that confidence in the fairness of these examinations would be destroyed if it was found that when an error had been committed the Civil Service Commissioners could refuse to give any explanation. The doctrine of the Chancellor of the Exchequer was most dangerous, and would increase the dissatisfaction which now existed.

Mr. GLADSTONE said, he thought that an incorrect construction had been placed upon the views of the Chancellor of the Exchequer, who sought to show the House that this was not one of the questions on which hon. Members could exercise immediate and authoritative control. As a general rule, such control could not be exercised too sharply or strictly over the Executive Government; but this was a case in which the House ought to modify its views, because the functions of the Civil Service Commissioners were judicial, and those gentlemen would be unfit to hold their office unless they discharged every detail of their duties in a judicial spirit. If the Commissioners were capable of anything like unfairness, they ought to be dismissed and others substituted for them. Another important consideration was that if facility were afforded for the discussion of individual cases, there would always be found hon. Members who, from honourable motives of friendship or commiseration, would be ready to call

attention to them under circumstances in which the Commissioners could not be heard. If the Inland Revenue Department or the Customs Department was arraigned before the House upon a questioned exercise of discretion, the authorities of the Treasury would meet the accusation. The Civil Service Commissioners were differently situated, and they could not publish the particulars in every case which might be brought under review; while if the particulars could be furnished, they would be submitted to a tribunal which felt itself to be incompetent to institute a strict and a sufficient investigation. It might be desirable that there should be control over the Civil Service Commissioners; but it would be dangerous if it were to consist in nothing else than the effect of a Motion made in this House. The Civil Service Commissioners were in no way responsible for bringing gentlemen over from India to no purpose; if there had been any error, it was apparently that of the authorities in India who issued the advertisement; and, at any rate, the judgment of the Commissioners gave no support to the supposition that there was any indifference to the interests of the natives of India, whom, on the contrary, it seemed to favour. So far from having, as was assumed, acted with carelessness, they had acted with the utmost pains, and they had fortified themselves with a legal opinion—that of the hon. Member for the Denbigh Boroughs (Mr. Watkin Williams). He did not deny the title of the House to interfere, it might be its duty to do so in certain cases; but there was nothing to show that this was such a case; and if it were proved to be necessary that there should be a means of reviewing the proceedings of the Commissioners, this was not the proper time to determine in what way it should be done. The Government had lately endeavoured, with the approval and under the pressure of the House, to carry out a great reform, and to get rid of the exercise of patronage in regard to first appointments under the Government. The Commissioners were the body upon whose integrity and efficiency the working of the reform depended; and if they were to be arraigned it was impossible they could exercise the authority necessary to enable them to stand against the pressure of private interests. He hoped his hon.

*Mr. D. Dalrymple*



Friend would not be disposed to force the House to a judgment upon the general question upon a Motion such as this.

SIR JOHN LUBBOCK said, he believed the proceedings of the Civil Service Commissioners gave general satisfaction in the country, and he thought they ought not to be called upon to give any additional evidence in support of a decision, unless a much graver case than the present were adduced.

MR. SCOURFIELD said, he wished to remark that the dates in the official Paper were irreconcilable on the supposition that the 15th and the 16th years might be confounded. After what had been said on the part of the Government, he thought it unnecessary to occupy time by dividing the House.

Amendment, by leave, *withdrawn*.

#### BUSINESS OF THE HOUSE.—TURNPIKE ACTS CONTINUANCE BILL.

##### OBSERVATIONS.

MR. WHALLEY, in rising to call attention to the state of Public Business, and, especially, the serious inconvenience resulting from the late period of the Session at which the Turnpike Acts Continuance Bill was brought forward, contrary to promises made in the early part of the Session, and the great inconvenience arising from its repeated insertion in the Notice Paper, and its postponement without cause assigned, said, that many contracts had expired, and the public were entitled to pass freely along roads upon which tolls were, nevertheless, exacted, which, under the circumstances, was quite unconstitutional. This Bill had been placed on the Paper no fewer than 15 times, and he had travelled more than 1,000 miles to meet the convenience of the Government. It was clear that no independent Member could efficiently perform his duty if such perfunctory and supercilious conduct on the part of the Government was not to be considered a fair subject for discussion in the House.

MR. ASSHETON CROSS said, that there was in connection with all these Turnpike Act Continuance Bills a grievance never felt until this year, because the Committee which used to consider measures of this description was practically abolished. No one could be more competent to sit on that Committee

than the noble Lord the Member for North Derbyshire (Lord George Cavendish), and he regretted they had been deprived of his assistance in considering Bills of this kind. There was a question of great importance connected with the Bill referred to by the hon. Member for Peterborough (Mr. Whalley). In regard to trusts about to expire, if the rates were to be saddled with the expense of keeping in repair the original turnpike roads, the burden would be very heavy on the townships through which the roads passed, because in many cases a great length of road passed through a particular township which practically derived no benefit from it. The Bill introduced this year contained a clause which would cast on the Highway Board the burden of repairing the turnpike road; but it should be borne in mind that the Highway Act had not been put in force over anything like the whole of the country. Consequently, in places where turnpike trusts had been abolished, and where the Highway Act was not in force, the burden would be very heavy indeed. He recommended that matters should be left for one year more; and then, at the beginning of another Session, the whole subject should be considered, and the area upon which the cost of maintaining the roads by rates should be once for all determined.

MR. KNATCHBULL-HUGESSEN said, he must decline to enter, on the hon. Member's Motion, into the details of the measure that would, in its order, come on for general discussion on Monday next. The clause which the hon. Member proposed to move contained much good; but he could not accept it in the present Bill, for the reason that the turnpike trusts of the country must be dealt with in a great and general measure. It was impossible to postpone his Bill without inflicting great injustice in many cases, because trusts would, but for this Bill, terminate abruptly and without that notice which those concerned had a right to expect, after the course which Parliament had so long pursued.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

## SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered in Committee.*

(In the Committee.)

(4.) Question again proposed,

"That a sum, not exceeding £4,046, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Board of Lunacy in Scotland."

MR. M'LAREN said, the Vote represented a gross piece of extravagance. The Vote for England was only £20,000, and for Ireland only £3,800; he could not conceive why Scotland, which in area was but a seventh of England, should want £6,000. If that were a proper sum the expenditure for England should be £42,000, and for Ireland, which had one-and-three-quarters more population than Scotland, £10,500. He moved that the Vote be reduced by £1,500.

Motion made, and Question proposed,

"That a sum, not exceeding £2,546, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Board of Lunacy in Scotland." — (Mr. M'Laren.)

THE LORD ADVOCATE said, he thought the Vote by no means extravagant. To compare usefully the expenditure upon lunatics in England and Ireland with that in Scotland would require a greater knowledge of the details of the subject than either he or the hon. Member possessed. Before the appointment of the Board, 12 years ago, the condition of lunatics in Scotland was worse than that of the same unfortunate class of persons in any other part of the United Kingdom, whereas it was now the best. The present Board had discharged its duties most efficiently in every respect, and to the entire satisfaction of the community. With reference to the conduct of the Government in filling up the vacancy caused by the failure of health of one of the paid Commissioners of Lunacy in Scotland, which had been attacked by the hon. Member for Ayr (Mr. Craufurd) at an earlier period of the evening, he could assure the House that the subject had received the most careful consideration at the hands of the Government, and they found that the duties of the paid Com-

missioners were so arduous that it was impossible that a single individual could discharge them. The Board visited every asylum in Scotland once a year. There were two Commissioners and two sub-Commissioners. The former had each £2,000 a year, and the latter £600; the secretary had £600, and the salaries of the clerks ranged from £90 to £250 a year each. The travelling expenses of the two Commissioners and the two sub-Commissioners amounted to only £1,100, though they had to visit the lunatics boarded in private houses as well as those in the asylums. The late Sir James Clark, so lately as January last, said that a better working Board than that of the Lunacy Commissioners in Scotland could not be, and that distinguished man hoped that nothing would be done to impair its efficiency.

MR. RYLANDS said, the Lord Advocate had not answered the remarks of the hon. Member for Edinburgh. No one said a word against the efficiency of the Board. What his hon. Friend found fault with was the expense as compared with that incurred for a similar object in England. The fact was that in Scotland there was a much larger staff of officials in proportion to the population than in England.

MR. CRAUFURD said, he did not go with his hon. Friend the Member for Edinburgh (Mr. M'Laren) in his argument founded on the expense as compared with that in England. Travelling in Scotland was a different thing from travelling in England as regarded expense. Sometimes it took a Commissioner six weeks to make a visitation when the Orkney Islands were included in his journey. What he found fault with was that the Lord Advocate and the Government did not attend to the recommendations of the Camperdown Commission. The present Lord Justice Clerk stated before the Commission that one Commissioner of Lunacy would be sufficient. If the Lord Advocate did not concur in that opinion why had he not attended before the Commission and stated his reasons for dissenting from it?

MR. BRUCE said, the services rendered by the Lunacy Commission in Scotland had been very valuable. As to the difference in the cost between England and Scotland the establishment charges of a small institution were necessarily relatively larger than the es-



tablishment charges of a large one; and while in England the Assistant Commissioners visited a number of lunatics collected together in asylums, in Scotland there were a large number of lunatics scattered very sparsely over wide districts. He had filled up the vacancy caused by the retirement of Dr. Brown from the Lunacy Board, because on inquiry he was satisfied that it was necessary to do so.

Question put, and *negatived*.

Original Question put, and *agreed to*.

(5.) £11,703, to complete the sum for Poor Law Commission, Scotland.

MR. CRAUFURD said, he wished to know how it was that a lump sum of £10,000 was granted in the Estimates for medical poor relief in Scotland, while in England and Ireland the amount allowed was half the actual expenditure on that account. In Scotland the medical expenditure was upwards of £30,000 a year, of which only £10,000 was supplied by the Treasury; but in England and in Ireland the moiety of the expenses allowed amounted to no less than £150,000.

Vote *agreed to*.

Resolutions to be reported.

The Clerk, at the Table, informed the House, That Mr. Speaker was prevented by indisposition from resuming the Chair this evening.

Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Standing Order.

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

#### CENSUS BILL—[BILL 211.]

(Mr. Secretary Bruce, Mr. Knatchbull-Bugessen.)

#### SECOND READING.

Order for Second Reading read.

MR. DILLWYN said, he did not know that any objection was entertained on the part of the Nonconformists to a real Census of religion being taken; but in 1861 they felt a reasonable objection to the manner in which a series of questions was proposed to be asked in order

to get at the religious opinions of the people. He hoped the right hon. Gentleman the Secretary of State for the Home Department would give a distinct assurance that there was no intention to insert in this Bill any clause which might excite apprehension on that subject.

MR. HEYGATE said, he, on the other hand, hoped that before the measure was passed it would contain provisions for obtaining an accurate enumeration of the religious opinions of the country. It was the practice of almost every civilized nation in Europe, with the exception of Spain and Holland, when they took the Census of the population not to confine their Returns to the number of the people, their industrial occupations, and the like, but also to collect proper statistical information on so very important a point as their religious opinions. Of course, a religious Census could not have been taken in Spain, for until recently it was penal for anyone to profess any other religion than that adopted by the State. In Prussia, which was famous for its toleration, so particular were they to obtain accurate information on the subject, that when the last Census was taken they went to the trouble of separating Christians who professed the Greek religion from the Roman Catholics—though they numbered only 300 or 400—with whom they had, up to that time, been enumerated. Again, in Ireland they had complete Returns of all the religious denominations, which were equally concurred in by Episcopalians, Presbyterians, and Roman Catholics. That being so, how, he would ask, did they stand in England? In England, with the exception of the Returns made in 1851, they had no statistical facts on the point to which he was referring, and the Report of Mr. Horace Mann was founded entirely on the accidental attendance on a particular Sunday at certain churches and chapels. That Return members of the Church of England had always maintained to be fallacious so far as the inferences drawn from it were concerned. The chief strength of the Church lay in the rural districts, while that of the Dissenters lay in the manufacturing towns. Now, on a rainy Sunday large numbers would be absent from the country churches, while that accidental circumstance would have practically no effect on the attendance

at the town chapels. In towns, too, the chapels were so close together that it was asserted that in more towns than one the children had been driven from one chapel to another, and counted over and over again. [*Cries of "Name!"*] He simply said that that had been stated to be a fact. Now, what the members of the Church contended for was that a real test should be applied, and that a person should be called upon to declare to what religion he belonged, as was done in other countries. When the Census Bill for 1861 was introduced by the Government of Lord Palmerston, it contained clauses providing that a religious Census of England and Scotland should be taken as well as of Ireland. Sir George Cornewall Lewis, who was at the time Secretary of State for the Home Department, while defending those clauses, stated that he felt himself obliged to withdraw them; but that he hoped the expiration of another 10 years would bring those hon. Gentlemen who opposed them to reason on the subject. Lord Palmerston also ended his remarks on the occasion to which he was alluding by saying—“We have deferred to their feelings, but we cannot assent to their reasons.” Now, however, that another decennial period had elapsed they found themselves almost the only nation in Europe which declined to have a true religious Census of the people. He was sorry the opposition with regard to Scotland had been renewed. As to the remonstrances on the subject which the right hon. Gentleman the Secretary of State for the Home Department had a short time since stated he would lay on the Table, he would only observe that he had not seen them, the only statements bearing on the question which had come to his knowledge being those which had been referred to by his hon. Friend the Member for Swansea (Mr. Dillwyn), which went in an entirely opposite direction. The Statistical Society recommended that a religious Census of the people should be taken in the plainest possible form. The religious Returns of Mr. Horace Mann had been made the foundation of attacks on the Church of England, and it was not Churchmen who were afraid of having a true Census taken, because, if that were done, they would, they believed, stand in a very different position before the country.

*Mr. Heygate*

MR. M. T. BASS said, he regretted that a subject which was of so much general interest could not be properly discussed owing to the great accumulation of business under the consideration of the House. As to the taking of a religious Census, he must say that the great preponderance of opinion appeared him to be in favour of such an enumeration. Nor did he think his hon. Friend the Member for Swansea (Mr. Dillwyn) objected to a religious Census provided it were accurately taken. That being so, he would suggest to his hon. Friend how much better it would be if he would direct his acute mind to ascertaining the best mode of making such a Census, rather than precluding the country from having information which was of great interest. There were other points, too, he might add, on which the Census, as hitherto taken, was supposed to be altogether unreliable. The occupations of persons, for instance, were directed to be taken; but there was no distinct enumeration of those occupations. As everybody was aware, many persons had several occupations. A man, for example, might be a farmer and a grocer, but it often happened that he was set down in the Returns as a grocer, while as a farmer he was left out. But landed proprietors were, perhaps, more inaccurately dealt with than any other class. The House would scarcely believe that the whole male landed proprietors of England were set down as only 15,000. His conviction was that if that number were multiplied by 10 it would fall short of the real number. He found that in the large county in which he resided the number of landed proprietors was given as 294; whereas there was, he believed, nearly half that number in his own parish. To what false conclusions did not such inaccurate statements lead? Orators went throughout the country proclaiming that the whole of the land was in the possession of 15,000 male proprietors. And it was not a little curious that the female were put down as outnumbering the male proprietors. He trusted, therefore, the Secretary of State would take powers in the Bill to secure more accurate information. As regards himself, he was a landed proprietor, though not a large one. One of his occupations was that of a brewer; he was a large cooper, and had various other occupations, but in the Census they were



all sunk in his occupation as brewer. He was there a brewer and nothing more. He was persuaded that he should be supported by the general feeling of the House when he pressed on the Secretary of State for the Home Department to insert clauses in the Bill for the purpose of getting accurate information both for a religious Census and to ascertain the number of landed proprietors.

MR. MIALl said, in reply to the hon. Member for Leicestershire (Mr. Heygate), he could state that the Dissenters were quite as ready as Churchmen to have a perfect and true Census of the religious opinions of the people, and he believed that the Government had exercised a wise discretion in not insisting on that mode which was evidently in the mind of the hon. Member. It was impossible to have a true representation of the religious opinions of the people by a house-to-house inquiry. According to the arguments used in the course of the discussion on the Education Bill, a large number of the people had no religion at all. ["Oh!"] It had been one of the strongest arguments for passing the Education Bill, that many of the parents were people who would give their children no religious education, because they had no religion themselves; and what was wanted was that they should be put down in a religious Census as members of the Church of England. ["No, no!"] The inmates of gaols and poor-houses, though very few of them might really be Dissenters or Church of England people, yet would all profess to be members of the Establishment rather than say that they were of no religion at all. Were they, then, to have a fraudulent Census, or a true representation of the opinions of the people? He contended that as things now stood in reference to the Established Church, which legally embraced the whole population, they ought not to attempt to draw any inference from a house-to-house inquiry.

SIR JOHN PAKINGTON said, he wished to know the intentions of the Government on this subject. It seemed to him to be the imperative duty of the Government to include the religion of the country in the approaching Census, unless they had some really good reason for omitting it. Ten years ago the Scottish people objected to an indication of religious opinions being included in the Census; but now they had withdrawn that

objection. [*Cries of "No!"*] Such he inferred to be the case from what had fallen from the Secretary of State for the Home Department; and the Irish people likewise had no objection to the religious opinions of their country being included in the Census. The Church of England people in this country, and the Roman Catholics likewise, had no objection, and when this was the case there ought to be some very strong reason why, if a few Nonconformists objected, they should overrule the inclinations of all the rest of the country. The hon. Member for Bradford (Mr. Miall) plainly stated that the Nonconformists of England had no objection to a religious Census, provided it was a true one. Then the whole question was at an end, and the Government should so draw the Bill as to make it effect what all parties were in favour of—namely, the taking of the Census in a true and honest manner. When he put some Questions to the Secretary of State for the Home Department the other night on this subject, the right hon. Gentleman failed to give a clear answer to any one of them. The right hon. Gentleman had produced some Papers. [MR. BRUCE: They were moved for."] Why had not the right hon. Gentleman produced others? [MR. BRUCE: They were not moved for.] Where were they and what were they? [MR. BRUCE: Move for them.] He thought that on this public question of importance, when he asked for information, he was entitled to something more than the evasive answer that he should move for Papers. All that the House had got was a Paper from that important body the Statistical Society, and they strongly urged, what 19 out of every 20 of them desired, that a religious Census should be taken. Let it be taken truly, and let the people know what the truth was.

MR. BRUCE said, he must protest against the statement that he had withheld information, and he was ready to produce any information which the right hon. Baronet (Sir John Pakington) chose to move for. He had already told the right hon. Baronet that the Government had not received memorials against a religious Census, so far as England was concerned, but that 10 years ago objections were urged to it, on the ground—the validity of which was generally admitted—that it was impossible to take a religious Census compulsorily, and that

if it was permissive it would be ineffective. He was bound to say that memorials had come to the Home Office, especially from Scotland, urging the Government to have a religious Census. In Scotland there was the same opposition to a religious Census 10 years ago that existed in England. He, therefore, rejoiced to receive memorials from the General Assembly of the Church of Scotland, and also from the General Assembly of the Free Church of Scotland, insisting upon a religious Census; and it was on the strength of these memorials that he stated that the Government would willingly accede to the desire of the people of England and Scotland. But he had since been inundated by memorials from the United Presbyterians, and even from large numbers of the Free Church of Scotland, solemnly protesting against this change, and declaring that the representations received from the General Assemblies of the Established and Free Churches of Scotland did not represent the general feeling of the people. He was bound to act on the same principle in England and Scotland, and not to enforce a religious Census. With regard to a religious Census it was somewhat remarkable that each denomination was anxious for it if each could have it in its own way; but that was impossible. On the other hand, there was much in what had been stated so clearly and honestly by the hon. Member for Bradford (Mr. Miall), that there was every reason to believe the Returns, when made, would not give a real representation. Reference had been made to the case of Ireland; but Ireland was mainly an agricultural population. The large towns, in which the obstacles to a religious Census were greatest, were few. There were but three forms of religion. The numbers not included in these were extremely small; and there was no difficulty in ascertaining what was the religion of the three great bodies. There were not, as in this country, those large numbers in the great towns who hardly felt or professed any religion, and who were left to be reckoned as belonging to the State Church. The owner of a house had to make a return of the religion of the inmates, and when, as frequently occurred in populous towns, the number of these amounted to 40 it would be seen how little reliance could be placed on the accuracy of the return in that respect.

*Mr. Bruce*

The Nonconformists were extremely anxious that a religious Census should be taken with reference to the church or chapel accommodation afforded by particular denominations and the attendance on a particular day; but there were many reasons why such a Census could not be relied on as giving a really fair representation of the state of the religious denominations. The attendance on the day of enumeration would be far more full than on other days, owing to the action of the ministers, and of the congregations themselves acting from honest emulation between different denominations, and where such organization was exerted the advantage would be on the side of the Nonconformists. The Government would be happy to make a compromise, and to adopt both forms of enumeration; but he feared, from the inquiries he had made, that it would not be accepted; and unless there was a willing co-operation in that which could not be made compulsory, the result would not be such as to command confidence. His hon. Friend the Member for Derby (Mr. M. T. Bass) had asked for a much larger and fuller industrial Census; but he did not see that this was practicable. There were in the proposed Census eight different heads, and the number of facts returned were 130,000,000. Every additional fact required to be returned applicable to the whole population would be an increase of 21,000,000. That would require special enumerators, and the whole system under which the Census was taken must be altered. The attempt minutely to define employments frequently caused misconception and led to erroneous conclusions. It had frequently been said, and he had recently seen it stated, on the supposed authority of the Census, by a writer in *Révue des deux Mondes*, that the number of landowners in England was only 30,066; but the fact was that there was no special heading of landowner, and that description was only resorted to by those who had no other employment. Hence the incompleteness of the Return. The inaccuracy of the number given would be the more manifest when it was considered that, whereas the total owners of land were given at 30,066, the female proprietors of land were given at 15,633—of the palpable absurdity of the number of female proprietors of land exceeding the number of male proprietors. He had



no doubt that the number of landowners was at least 10 times as great as it appeared in the Census. Directions would be given by which he hoped that error would in future be prevented. With respect to the Bill itself, it contained exactly the same details as in the Census Bill of 1860. There was always, of course, an advantage in having a complete Census, so that they might have an account of the progress made by the country from time to time. It was from no disinclination on the part of the Government that they declined to undertake a religious Census; but because they felt that unless a general desire for it were expressed by the people there would not be that amount of co-operation which was absolutely necessary to secure any satisfactory result. When the House went into Committee it would be open to any hon. Member to vary or extend the subjects of inquiry; but the Government thought that the multiplication of such subjects would only tend to diminish the accuracy of the Returns.

MR. ASSHETON said, he wished to call the attention of the Secretary of State for the Home Department to the 4th clause, requiring the head of a family to make a return of the blind, deaf, and dumb. He (Mr. Assheton) could see no reason why a column should not be devoted to a return of persons who were idiots, insane, or of unsound mind. If the heads of families felt any objection to making such returns, the enumerators, who had power to correct them, could very easily do so, because the presence of the persons of whom he wished to have a return was generally a matter of notoriety in the districts in which they lived.

MR. BAINES said, that when the Census of 1861 was taken, the whole body of the Nonconformists expressed their strong disapprobation of the form in which it was at first proposed that it should be taken—namely, by asking every individual what was his “religious profession.” He believed there was no exception to this disapprobation, and perhaps the Wesleyan Methodists were among the most determined, although their own organization and statistics were so complete. Many Churchmen, both in the House, and out of it, also expressed indignation that Government should make such an inquiry. The reasons for the objection were briefly these—It was

felt that the inquiry into men’s religious faith was beyond the province of the civil Government. It was also believed that in many cases, especially among servants, workpeople, and tradespeople, the avowal of belonging to a different Church from their masters or rich customers might possibly lead to inconvenient consequences. But the great objection of all was that which had been so strongly stated by his hon. Friend the Member for Bradford (Mr. Miall)—namely, that there was no probability whatever of a correct result. It was a lamentable fact, brought out in the Report which accompanied the Census of Religious Worship in 1851, that a very large number of the people did not attend any place of worship. It was stated that something like 5,000,000 of persons in England and Wales, who were able to attend divine service, were absent on the Census Sunday; and a large proportion of them were inferred to be “habitual neglecters” of public worship. Now if that were so, what would be the use of asking these “neglecters” what was their “religious profession?” What honest, correct, or useful result could be obtained? He assured the House that the Dissenters had no objection whatever to a Census of Religious Worship on the plan of the only religious Census ever made in England—namely, that of 1851. In the year 1860, when the Census Bill for 1861 was brought forward, he himself made this declaration in that House on the part of the Nonconformists, and he even moved that the Census should be taken in that form. But the Church party on the opposite Benches were as strongly hostile to that form of Census as they on the Liberal side were hostile to demanding from every man his “religious profession.” Therefore, the Government determined not to take a religious Census in either form. It seemed to him that the only fair way to judge of the real numbers of a religious body was to ascertain the amount of accommodation which they provided for religious worship, and the number of worshippers who actually attended. This was done in 1851 with the utmost care, and with repeated applications during nearly three years to obtain a correct result; and this furnished the only test and index of the strength of the religious bodies, as such. If Gentlemen opposite would consent to such a plan being acted upon, he be-

lieved the Church of England would have a great advantage; for he believed—though he could not state the fact with certainty—that within the last 20 years the number of churches had considerably increased, and to a greater extent than the places of worship belonging to other denominations. Such was his impression, and therefore it would place the numbers of the Church of England in a very good position if they would consent to a Census being taken of the places of worship, and the number of persons attending them; and to this the Dissenters would have no objection.

Mr. BERESFORD HOPE thanked the hon. Member for Leeds for having placed this question before the House in such a candid, truly Christian, and liberal spirit—a spirit, which he must add, was in strong contrast to the angry declamation of the hon. Member for Bradford. The hon. Member for Leeds was willing to have a religious Census; but he denied that it was the duty of the State to enter into the field of conscience. He (Mr. Beresford Hope) took issue with the hon. Gentleman on that point, and called on those who agreed with him to justify that jealous limitation in one respect of the rights of the State in connection with their views upon the political action of Nonconformists in other respects. Almost every day the privileges, the responsibilities, and the political position of various religious communities were a matter of serious discussion, as was shown by the Irish Church Bill of last Session and by one of the two principal Bills of the present one. Almost every day different sects employed their religious organization as a means of their own social and civil advancement. He did not blame them for that. It would show a limited perception of the circumstances of free citizenship if they acted otherwise; but they must take their responsibilities along with their privileges. A sect which considered it unlawful to have any connection with or cognizance of mundane politics was alone justified in refusing to co-operate with the State in such a matter as a Census. Such a sect was, in its original condition, that of the Friends or Quakers; but even the Quakers have now seceded from their ancient non-political position. It was only right that when the different sects came to Parliament claiming all the rights and privileges of sects they should

let it be known what their numbers were. The arguments both of the Home Secretary and the hon. Member for Bradford went too far, because they went against any Census at all. They both dwelt upon the invidiousness of statistics, and the false position in which it would put the master of the house in regard to its inmates. But on looking at the proposed Census form, he saw one heading of “age.” Was not this just as invidious? Suppose the head of the house had to collect the ages of respectable maiden ladies; suppose that head was herself such a maiden lady. Such arguments were not really appeals to reason. After all, the Census papers were confidential; they were not published to the world. They must depend upon the fidelity and secrecy of the collectors, and it was impossible to have any statistics without having a great deal that was disagreeable in them, for it was disagreeable to be brought to book. On such grounds, there ought to be no income tax, and no licences in lieu of the assessed taxes. The Home Secretary personally wanted a religious Census, and had argued strongly in favour of one; but the hon. Member for Bradford and those whom he led were afraid, and therefore we were not to have those valuable statistics which the Government desired. The Government had gone so far as to offer to take the Census both ways—the way of personal persuasion and that of attendance at worship. The hon. Member for Leeds had, with his natural candour, owned that he believed that the latter Census would prove how much the Church had increased upon Dissent. He (Mr. Beresford Hope) also believed it; at the same time, he felt it right to show how this very increase would create a difficulty in the collection of the statistics. In many churches the Sunday services had outrun the old modicum of once or twice per day. In the church he himself went to in London there were six Sunday services. To reckon the attendants at all these services as different persons, would be to allow too much; while, only to count the sittings, and, perhaps, double them, would be to allow too little. Still, with these difficulties, which were only matters of detail, he willingly accepted the offer. They all accepted it. [“No, no!”] Well, then, those who objected were afraid; they were afraid



of the Census in one shape, and doubly afraid of in two shapes. They confessed their fear, and the people would take note of their fright, and of the reason why. But if they took the Census in both shapes they would get everything that was wanted; they would have the estimate of the religion of the people out of their own mouths, and also by their works. The Government would accept that, and the great majority of the people, if not acted upon by stump speeches, would accept it too.

MR. LIDDELL said, this was not an ordinary question, as the information required was taken only once every 10 years. The form and extent of that information ought not to be thrown on the Secretary of State to determine, but ought to receive full discussion in the House. He would like on that account to move the adjournment of the debate; but as time was valuable he would not do so, provided he obtained an assurance that on the Motion that the Speaker do leave the Chair an opportunity for full discussion would be given. He considered that a religious Census was not a desirable thing.

SIR JOHN LUBBOCK said, he would suggest that the number of marriages between cousins should form a part of the information required. It was believed that consanguineous marriages were injurious throughout the whole vegetable and animal kingdoms, and it was desirable to ascertain whether that was not the case with the whole human race. The information in question might be obtained in this country by one simple Census.

MR. R. N. FOWLER said, he hoped hon. Gentlemen opposite would give their assent to the very reasonable proposition which had been made by the Secretary of State for the Home Department.

MR. CANDLISH said, he thought the Bill should have been brought on earlier. He trusted the right hon. Gentleman would adhere to the Bill in the shape in which it stood.

MR. J. G. TALBOT was anxious that the subject should be really and thoroughly discussed. There were other points besides the religious Census that required to be considered. He should like to have an assurance that an opportunity for doing so would be afforded on the Motion for going into Committee.

If it was possible to take a religious Census in Ireland he did not see why it could not be done in England.

MR. CRAUFURD said, that Churchmen themselves were very much divided, and that if there were a religious Census the numbers of High Churchmen, Broad Churchmen, and Low Churchmen ought to be ascertained.

MR. MACFIE said, he was favourable to the proposal made by the Secretary of State for the Home Department.

MR. McLAREN said, that the objections to a religious Census prevailed chiefly in large towns.

MR. ILLINGWORTH said, he was of opinion that the chief importance of religious statistics was to discover how many practical heathens there were in the country. He objected to political capital being sought to be made out of the members of the several religious bodies.

MR. A. SEYMOUR said, he looked upon such statistics as being most valuable.

MR. W. FOWLER said, he did not see how a religious Census could be properly taken by going from house to house.

MR. CHADWICK said, he saw no difficulty whatever in taking a correct religious Census. He trusted the Secretary of State for the Home Department would take into consideration the five recommendations made by the Statistical Society.

MR. ALDERMAN LUSK said, he would beg hon. Members to allow the Bill to be read a second time, as there had been quite enough talk about it.

Bill read a second time, and *committed for Tuesday next.*

House adjourned at a quarter  
before Three o'clock till \*  
Monday next.

## HOUSE OF LORDS,

*Monday, 25th July, 1870.*

MINUTES.]—PUBLIC BILLS—*First Reading*—  
Sheriffs (Scotland) Act (1853) Amendment, &c.\*  
(243).

*Second Reading* — (£1,300,000) Exchequer  
Bonds\*; Elementary Education (235); An-  
nuity Tax Abolition (Edinburgh and Mont-  
rose, &c.) Act (1860) Amendment\* (231).

*Committee* — Exchequer Bonds (£1,300,000)\*, *negatived.*

*Committee* — *Report* — Sugar Duties (Isle of Man)\* (209); Stamp Duty on Leases\* (148); Paupers Conveyance (Expenses)\* (208).

*Report* — Life Assurance Companies\* (239).

*Third Reading* — Pier and Harbour Orders Confirmation (No. 2)\* (188); Gas and Water Facilities\* (222); Judicial Committee\* (224); Medical Officers Superannuation\* (225), and *passed.*

#### FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY.—QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE: Seeing my noble Friend the Secretary of State for Foreign Affairs in his place, I take the liberty of putting to him, though I have been unable to give Notice, a Question which seems to me all-important in the present state of affairs on the Continent. It was stated this morning in one of our most influential public journals that a Treaty has been proposed between the two belligerent Powers, of a nature which must be of the deepest possible interest to this country and to Europe at large. I therefore feel fully justified in the course I have taken, and I think it would be satisfactory to the country at large to know whether it is the fact or not?

EARL GRANVILLE: My noble Friend has only been able to give me Notice of his Question since he entered the House; but I am bound to say that even if he had given me a rather longer Notice my duty would have prevented me from giving at the present time more than a very short answer. I am not informed whence came the document which appeared in *The Times* this morning; but I am not surprised that my noble Friend (Viscount Stratford de Redcliffe) should regard it as a very important document. I can only state the conviction of Her Majesty's Government that, after the announcement of the alleged existence of such a draft of a Treaty proposed between France and Prussia, the Governments of both those countries will be induced immediately and spontaneously to explain to Europe all that concerns this matter.

#### IRISH LAND BILL.

##### COMMONS AMENDMENTS.

Commons amendment to Lords amendments and Commons reasons for disagreeing to one of the amendments made by the Lords to the amendments

made by the Commons to the amendments made by the Lords *considered* (according to order).

EARL GRANVILLE asked their Lordships to agree to the Amendments made by the Commons in the Amendments of the Lords. The Commons had agreed to the omission of the words empowering the Court to consider "special causes" why an ejectment for the non-payment of rent should be deemed a disturbance entitled to compensation, with this reservation, that the Court might, in the case of holdings valued under £15, inquire whether the rent had been exorbitant. This question had gone to and fro from one House to the other, and on a former occasion he made an offer which did not meet with a sufficiently encouraging reception to induce him to press it to a Division. He hoped, however, their Lordships would agree to the clause in its present form. He had also to ask them not to insist, in the clause requiring the Court to state the "particulars and character" of the tenant's loss, for which compensation was awarded, on the words "particulars and" which the Commons had struck out. He moved that the Commons Amendments be agreed to.

THE DUKE OF RICHMOND said, he was prepared to assent to the Amendments made; but asked that the matter might be postponed for a short time, in order that it might be considered whether the exact words now before the House would meet the object in view, or whether a verbal Amendment might not be necessary.

*Question postponed.*

*Afterwards—*

*Debate resumed.*

EARL GRANVILLE said, he should have preferred the word "value" as it stood in the Commons' Amendment; but, as the noble Duke (the Duke of Richmond) preferred the word "rent," he did not think that when a settlement had been so nearly arrived at it would be right to insist upon so small a point. He would, therefore, not oppose the Amendment proposed by the noble Duke, and the Commons' Amendment would, therefore, run as follows:—

"Or if, in case of any such tenancy of a holding held at an annual rent not exceeding £15, the



Court shall certify that the non-payment of rent causing the eviction has arisen from the rent being an exorbitant rent."

Other Amendments *agreed to*.

Their Lordships' Amendment in Clause D to which the Commons disagree *insisted on*; and a Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on the said Amendment.

# ELEMENTARY EDUCATION BILL.

(*The Lord President.*)

(NO. 235.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL DE GREY AND RIPON: My Lords, it is a satisfaction to me, and a circumstance which will very much shorten the observations it is my duty to make, that in moving the second reading of a Bill, the object of which is to establish a system of national education throughout England and Wales, I need not, in the present political and social position of the country, detain your Lordships by any arguments as to the importance of the spread of education, or as to the advantage to be derived not merely by those immediately affected, but by every class in the community from the establishment, as speedily as possible, of a system by which the means of elementary education may reach every home, and be brought within the reach of every child in the country. I pass at once, therefore, to the consideration of the present condition of elementary education; and, in order that I may properly place my statement before your Lordships, I must refer to the history of the question, so as to indicate what has been done within the last 30 years by the existing system. In 1834 a system of aid to education on a very small scale was instituted, and was placed under the management of the Treasury; but it was not till 1839 that the system now in operation can be said to have been begun, for it was in that year that the charge of the question was transferred to the Committee of Privy Council. Addressing your Lordships last year on this subject, I felt it to be my duty, as well as my privilege, to acknowledge the great work which has been accomplished during the last 30 years by that system; and I will now, in a few words, confining myself, as this Bill is confined,

to England and Wales, recapitulate those results. Between 1839 and 1869 no less a sum than £24,082,274 has been expended in the promotion of elementary education from all sources. Of this amount, £15,119,361 has been raised by voluntary contributions, school-pence, and other private sources, independent of Government aid, while £8,962,913 has been contributed by the Government. These figures show a very important element in the present state of the question—namely, the very large amount of the aid contributed to public education, derived from sources altogether independent of the contributions of the State. In order to give a fair explanation of the present state of things, it is desirable that I should enter into some detail with regard to the expenditure of 1869. That expenditure has hitherto been divided into two classes—namely, the one for the erection of new schools, and the other for the maintenance of schools already existing. Now, in 1869, excluding training schools, the former head of expenditure amounted to £168,716, of which £32,152 was contributed by the State, while no less than £136,564 was raised by voluntary contributions. The new schools thus created during 1869 provided accommodation for 28,548 children. With respect to training schools, the largest share of the expenditure of which falls upon the State, the Parliamentary Grants amounted to £59,000, while the voluntary contributions were £27,749. The students resident in these schools numbered 2,097. With regard to the maintenance of existing schools, the Parliamentary Grants for 1869 were £542,899, and the contributions from other sources amounted to £924,730. Of the latter sum, £44,484 consisted of endowments, £397,035 of voluntary contributions, technically so called, £455,817 of school-pence, and £27,394 came from other sources. These other sources should be added to the voluntary contributions, which would raise the latter to a sum exceeding £400,000, for most of them are sums provided by the managers or landowner to make up deficiencies. From all sources, therefore, £1,723,094 was raised in 1869, of which the public purse contributed £634,051. The accommodation afforded by this expenditure provided for 1,765,944 children in inspected and assisted schools. Over and above

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that, though not, except as far as it was due to previous grants, on account of this expenditure, there was accommodation for 58,362 children in schools simply inspected—that is to say, schools which are inspected from time to time, but which receive no grant, inasmuch as they do not comply with the conditions. Now, the average attendance of day scholars in assisted schools was 1,062,999, in night schools 64,210, and in simply inspected schools 16,681. With regard to the results of the examinations in these schools, it is as follows:—245,300 children under six years of age passed in the day schools solely on the ground of attendance—no other test being required of children of that age; 785,385 children over six years of age passed by ordinary attendance; and 57,757 by 100 or more attendances under the half-time Acts: the attendance at the evening schools was 78,189. The result is, that out of 696,440 who were examined, there passed in reading 89·97 per cent, in writing 88·24 per cent, and in arithmetic 77·24 per cent. In the night schools a greater proportion passed in reading and arithmetic, but a somewhat smaller one in writing. With respect to the teaching staff, there were 12,027 certificated teachers, 1,236 assistant teachers, and 12,842 pupil teachers. I avail myself of this opportunity of stating that the state of things with regard to the pupil teachers and the numbers in the training Colleges is now more satisfactory than was the case a few years ago. What I have at present stated relates only to the quantity of education; but, of course, we must also look to the quality; and of this, even as regards the schools under Government inspection, I regret that I cannot speak with equal satisfaction. Since the Revised Code has been in operation, and a test of the quality of education has thus been afforded, there has been a great temptation to throw children who ought to be examined in the higher standards into standards not proportioned to their age, and those who have passed the standards suitable to their age have not been what their ages required. During the past year 266,309 scholars above the age of 10 were examined, who ought to have passed in Standards 5 and 6; whereas only 80,411 so passed, the others passing in lower standards. I believe the main cause to which this unfortunate circum-

stance is to be attributed—to which my right hon. Friend (Mr. Forster) and myself have thought it our duty to call attention in the Report we have this year submitted to Her Majesty—is the very short time during which children remain at school, and the consequently very limited progress which it is possible for them to make. Now, it is necessary to compare this state of things with the requirements of the country, and to ascertain whether, after the great efforts that have been made for so many years past, we have made progress in education that can be considered satisfactory; and for that purpose we must inquire into the number of children of such an age that they ought to be at school, the school accommodation afforded them, and the quality of the education given. It has been the practice of late years to take the number of children between 3 and 12 years of age, and, acting on this principle, I find that the number of children of the working class in England and Wales—and this Bill deals with that class only—of that age is 3,936,513, and that the accommodation in inspected schools is for 1,824,306 children, showing a deficiency of 2,112,207. I have not, however, the least wish to overstate the case, which, I believe, is quite strong enough when stated in the most moderate manner. Now, the National Society claims to provide accommodation for 600,000 children in non-inspected schools. Of the value of the education given in such schools I shall have a word to say presently; but even assuming, which I do not admit, that the whole of them could be reckoned as satisfactory, there would still be a deficiency in the accommodation of 1,500,000. That is the most unfavourable mode of examining the matter; if, instead of it, we take the number of children of the working class between the age of 5 and 13—the age with which this Bill deals—the number is 3,374,100. The accommodation in the inspected schools being 1,824,306, the deficiency would be 1,549,794; or again, allowing the 600,000 claimed by the National Society, the deficiency is 949,794. I have put the case as fairly as I could against my own view, for I know the disputes which have been raised as to figures. If we turn to the state of education in our large towns the results are still less satisfactory. Much controversy was raised a few years ago by a state-



ment made in "another place" on this subject by my right hon. Friend the present Home Secretary; but happily neither his calculation nor that of his opponents need now be appealed to, for on an Address by the House of Commons two very able men—Messrs. Fitch and Fearon—were appointed to inquire into the state of education at Birmingham, Leeds, Manchester, and Liverpool, and on their Report, which lies on your Lordships' Table, I will base my argument. They tell us that in Birmingham there are 64,787 children between 5 and 13 years of age, and that the accommodation provided by schools of every description is only for 30,169. In Leeds there is accommodation for only 24,295 children out of 45,444; in Manchester for only 36,612 out of 66,591; and in Liverpool for 46,739 out of 91,375. I should almost be content to rest my case for this Bill on these figures alone; but quality as well as quantity has to be considered—for there is no good in bad education—and I do not think it is unfair to say that the uninspected schools are not equal, and are certainly not superior, to the simply inspected schools, which do not earn the Government Grant. Whoever has read the Reports of the Inspectors with reference to the uninspected schools cannot have failed to observe that they are uniformly represented in character distinctly and broadly as inferior to the inspected and assisted schools. I admit, indeed, that there are schools not under Government inspection which are as good as any that are inspected, but they are few in number, and the mass of uninspected schools cannot be fairly estimated as equal to simply inspected schools. The Reports of Messrs. Fitch and Fearon give indisputable evidence that they are distinctly inferior; that many of them are absolutely worthless; and that, in any national system, it is impossible to take account of them. In spite, then, of the noble voluntary efforts of the last 30 years—efforts which anyone who has held the office which I have the honour to fill must acknowledge with the greatest gratitude—there is a deficiency in the school accommodation, I believe, of 1,500,000, and certainly of 1,000,000, amounting in the large towns to this—that accommodation is only provided for 50 per cent of the children who require it. I need say no more in proof of the

necessity of bringing the means of elementary education within the reach of these 1,000,000 or 1,500,000 children who, to the great social and political danger of the country, are at present unprovided with them. I have had in some respects to bring an accusation against the existing system; but, at the same time, I am bound to say that, if I mistake not, it has far exceeded the expectations of those eminent men by whom it was founded, such as Lord Lansdowne, and my noble Friend (Earl Russell), whose names will always be held in grateful recollection as the founders of a system that has effected so much good. But its authors never imagined that it could be a substitute for a complete system of national education. It was founded on the principle of aiding those only who aided themselves. Where zealous, self-denying men, for the sake of their countrymen and of great public interests, would come forward with their money, there it aided; but poor districts, whether in town or country, which were unable to do anything, it left alone, and it is not wonderful, therefore, that a very large amount of ground is still uncovered. Our present duty, I think it will not be disputed, is to provide a system co-extensive with the nation, which shall penetrate the length and breadth of the land, and as quickly as possible bring within the reach of every child in England and Wales the means of learning reading, writing, and arithmetic—for that will for many years be the limit of the results of this measure. In accomplishing that object it would be the height of folly, as well as of injustice, to cast aside all that has been done during the last 30 years, and wantonly to reject the £15,000,000 which, including the pence of the children and other items, has been voluntarily raised during that period. It should be our object to maintain and foster the existing system, and to reject no agency which, at the present time, affords or may afford the means of a sound and efficient education—while taking measures to supplement it where it is defective and so extend elementary education throughout the whole country. It is upon this principle that the Bill is founded. We desire to maintain what exists; but we feel that the time has come when we cannot wait for the slow progress of that system which, by the admission of its most extreme advocates,

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would not supply the whole country for generations of children to come. The first result of the Bill will be the instituting measures for an inquiry throughout the country as to the existing means of education. The country will be divided into districts, and in each district there will be power to inquire into existing agencies and to order local inquiries. In collecting these Returns and in making these inquiries, the Education Department will be bound to take into account schools of whatever description which are intended for children of the working class. We assume nothing as to the value of the uninspected schools, but simply seek power to examine their condition and have them fairly reported on—the object being to obtain a fair report of the education afforded throughout the country, and whether it meets the requirements of the country. The Bill proposes to maintain all existing schools at present in receipt of Government aid on their present footing. We desire that they should continue and extend, and needlessly to destroy one of them would be to inflict a great mischief. Your Lordships, however, must understand that we raise the condition and status of these schools, because for the future they will form part of a truly national system, and they must, therefore, fulfil the duties of national institutions. Almost without exception they have been established by religious denominations. Now, we do not ask them to give up their connection with those bodies, nor do we forbid them to teach, in the most unrestricted manner, the doctrines and faith of those denominations. All we desire is that, when they become national schools, we should take care, by the extension of the system of a Conscience Clause, that they are open to children of all denominations; so that where they stand alone, as in many cases they undoubtedly will, we shall guarantee admission to all children within the district. For that purpose we propose what is called a Time Table Conscience Clause. I reserve the details for Committee; but it is essential that schools admitted into a national system should be open, as regards secular education, under fair and reasonable guarantees for just liberty of teaching, to all the children of the locality. We require that those schools should admit our Inspectors, not upon terms to be determined by themselves,

but upon such terms as, in the public interest, we may consider fitting; and following the principle laid down by the noble Duke opposite (the Duke of Marlborough), we do not propose to inquire into more than the secular education given in those schools. Where the existing schools in any school district afford such an education as suffices for the requirements of the population—in the words of the Bill, where the education is “sufficient, efficient, and suitable”—we propose to take no further steps. Every school district so supplied will remain precisely as it now is, except that under certain circumstances the existing schools will receive a larger grant of public money. The Bill, too, will not shut out any further voluntary efforts, for it distinctly contemplates the establishment of new voluntary and State-aided schools. There may be occasions when the Committee of Council may consider it desirable to withhold their sanction from such schools when they would not afford accommodation to a sufficient number of children to justify the expenditure of public money in respect of them; but the Department will be bound to lay before Parliament a statement of their reasons for this refusal. In considering the educational wants of a school district, however, we distinctly contemplate the taking into account not merely of existing schools but of those which are about to be supplied *bond fide* for the benefit of the district. On this point your Lordships will read Clause 8 in connection with Clause 10, and you will see that the friends of voluntary education in each district will have an opportunity of supplying within a reasonable time, if they can, the deficient education. A period of six months is allowed with that view after notice given; but this limit of six months is not the only possible time during which the deficiency may be supplied, for I reckon that from the passing of the Bill to the period when the six months will ordinarily expire an average period of at least 18 months—and very likely two years—will elapse before the door will be closed against voluntary exertion. I think that is a fair and ample warning to the friends of voluntary education; and, considering the demands of the children for education, a fair and ample opportunity of supplying it is thus afforded.

*Earl De Grey and Ripon*



I now pass to the part of the Bill dealing with the establishment of school Boards. There are two modes in which such Boards may be established—voluntarily, without the interference of the Committee of Council; and compulsorily, by the order of that Department. No such school Boards can be established where the education is sufficient, or where, within the period I have mentioned, it shall be rendered sufficient; and in estimating that sufficiency we are bound to consider all schools of every description which now exist. But where, at the expiration of this period, a sufficient education is not provided, the Education Department will be empowered to require the formation of a school Board, the district within which it is to act being, in a borough, the limits of a borough, and elsewhere the parish. There was a feeling in favour of the Poor Law Union; but, after consideration, we came to the conclusion that the most efficient and the fairest limit which could be taken would be that of the parish. The election of the school Board will be left to the ratepayers. Many persons have thought it would be desirable that the Government should not leave this appointment to the ratepayers, but should take power themselves to appoint certain members, in order the better to insure that the Board shall not be influenced by mere local pecuniary considerations, but shall look to the general interests of education in the locality. We think it better, however, to rely upon the test of inspection and the stringent powers this Bill gives for dealing with the school Boards. We feel that if the Government take any share in the appointment of members of these Boards we shall diminish our power of dealing with them in cases where they do not do their duty, and it is far better to rely upon the results of inspection than upon any control to be exercised by the nominees of a Government Department. As to the character of the schools to be established by these local Boards, your Lordships are doubtless aware that upon this point the Bill differs in an important respect from the state in which it was first framed by my right hon. Friend (Mr. Forster), accepted by the Government, and introduced into the other House of Parliament. I allude to the portion of the Bill which deals with what, in the phraseology of

the day, is called “the religious question.” It originally proposed to deal with the local Boards precisely as the Government dealt with any other body of men placed in the position of the managers of schools. To that proposal serious objections were urged. It was contended that the liberty which we proposed to give to those local Boards would have led to a degree of controversy in the several localities on the religious question which would have been productive of very great evil. The very fact that this objection was urged with great force and honesty by various religious bodies showed that there was real danger in that direction, and that if we persevered in our proposal it would be likely to give rise to needless, mischievous, and injurious disputes, and we therefore deemed it to be our duty to reconsider the matter, and certain modifications were introduced into the provisions of the Bill. The change made was, that whereas, under the Bill in its original shape, the managers of schools would be enabled to regulate the religious instruction which should be given in them, we have now provided that no religious catechism or distinctive formularies shall be taught in any rate-supported schools. There were two other propositions of a different character, which, in dealing with this point, were strongly urged on the attention of the Government. The one was, that we should not require anything in respect of religious matters to be taught which was either in favour of or opposed to the doctrines of any religious denomination. Now, I would speak with the utmost respect of a proposition which was supported by such respectable advocacy; but, for my part, I should not place the slightest faith in any religious system which consisted in eliminating all distinctive religious doctrine, and then supposing that something of the form and substance of religion would remain behind. The Government, therefore, laid that proposition aside. But they were met by another of a simpler and more logical character. It was proposed that they should do away with religious teaching altogether, and have nothing taught in those schools except that which now-a-days comes under the denomination of secular instruction. Well, the present Government, like that of which the noble Duke opposite was a member, were per-

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fectly ready to make grants to secular schools on the same footing as other schools; but we would not consent that in all schools established under school Boards religious teaching should be distinctly and by Act of Parliament proscribed. In this I am confident that we acted in accordance with the general opinion of the country. We accepted, however, as a mode of avoiding the difficulty, the proposal that the catechism and distinctive formularies should be excluded from the instruction given. This rendered another alteration in the Bill necessary. In the Bill as it was originally framed there was a provision that the school Boards might grant aid to existing denominational schools in their respective districts, provided that if they granted aid to any it must be given fully and fairly to the schools of all denominations. There was, however, danger that in pursuing this course we should have promoted those controversies upon religious matters to which I have already referred, and we have, therefore, deprived the school Boards of the power of aiding denominational schools. But in doing that we felt that we should be depriving those schools of a great assistance to which they were entitled, and placing them at a great disadvantage as compared with the rate-supported schools. Consequently we proposed, in lieu of the provision which I have just mentioned, that an increase of the annual grant should be given to all schools alike, not exceeding 50 per cent on the grants now made, which will not merely afford greater aid to the various schools, but will secure for the public increased efficiency in the education of the children. Such is the nature of the arrangement into which we have entered with respect to this part of the question; and although I frankly admit that I still retain a lingering fondness for the proposal in the Bill as it was first introduced, yet I heartily accept the compromise which has been made, and venture, with the utmost sincerity, to recommend it strongly to your Lordships' consideration.

I, in the next place, come to the provisions which the Bill contains for compelling the school Boards to perform their duty; and if we did not take some power to enforce that performance we should, I think, have advanced but a small distance towards establishing a complete system of national education.

*Earl De Grey and Ripon*

The Bill proposes to confer on the Educational Department two very extensive powers. It, in the first place, gives the power of dissolving these school Boards if they neglect to do their duty, and requiring new Boards to be elected. If, moreover, any district should neglect to appoint a school Board, the Bill enables the Education Department to step in and remedy that neglect by appointing a school Board themselves which should have the same powers of levying rates. Without such provisions the Bill would be useless, and would not effect the object which we have in view, which is to establish throughout the length and breadth of the land full and complete provision for the education of children.

Then there are clauses in the Bill with respect to providing the necessary school accommodation; but there remains the question of filling the schools when provided—or, in other words, of compelling the attendance of children. This question is one of no small difficulty. In this Bill we propose to deal with that question in a manner which is undoubtedly tentative. I admit, with regard to children engaged in certain trades and employments, there are indirect methods of compulsion already in existence, and the principles of these Acts might be extended. No doubt any mode of indirect direct compulsion would give rise to a great deal of opposition, because your Lordships must remember it would deal only with children who are in employment; and any such proposition would have a distinct tendency to diminish the number of children employed by pushing them out of the employed into the unemployed class. This circumstance shows that we cannot attain completeness in our educational system by any scheme of indirect compulsion; consequently it is provided by the Bill that the school Boards shall have the power to make by-laws, directly compelling attendance of children at the schools. Unless you do that, the school Boards may say to the Education Department—"You insist on our providing accommodation for a large number of children who, after all, will not come to the schools." If, therefore, you refuse to allow them to take measures to secure the education of the children, it seems to me that they will have a right to say to the Department—"You are acting unjustly, inasmuch as you force us to incur a large expenditure



which you do not give us the means of making practically useful."

My Lords, I think I have now enumerated the principal provisions of the Bill; but if, in the course of the debate, your Lordships should desire to have a further explanation, I shall be most happy to give it. I do not for a moment profess that the Bill is based on a cut-and-dried logical theory for establishing a national system of education in this country. We should have been extremely foolish if, for the sake of a logical system, however perfect it might be, we had cast aside and rejected all that has been done during the last 30 years—the vast efforts which have been made, and the immense sums which have been raised in many districts throughout the country, and by means of which we already have, to some extent, an effective system in operation. We present the Bill to you in the earnest conviction that, if your Lordships pass it substantially as it stands, it will provide a truly national system of education. That system will be consistent with the history of education in this country, and with the past practice of England in respect to it. It will preserve what is good in the existing system, which will be supplemented by the new provisions of the Bill, so as to bring within the reach of every child the means of elementary education. The Bill has been framed by my right hon. Friend (Mr. Forster) and myself in accordance with the opinions entertained by Her Majesty's Government;—and as I have mentioned Mr. Forster's name, I trust your Lordships will permit me to say that those who have at heart the interests of education owe a large debt of gratitude to my right hon. Friend. Indeed, my right hon. Friend has in the framing of this measure, and in its conduct through the other House of Parliament, displayed an amount of zeal and ability, of tact and conciliation, which is rarely met with. I am happy also to believe that it will be his good fortune to connect, and worthily connect, his name with the greatest and most important measure of national education which has ever been passed in this country, and which I feel assured will confer the blessings of education on every child in the kingdom.

*Moved, "That the Bill be now read 2<sup>a</sup>."*  
—(*The Lord President.*)

THE DUKE OF MARLBOROUGH: My Lords, I do not propose, in the few remarks which I shall have to address to your Lordships, to follow my noble Friend the Lord President through those long and elaborate statistics which he cited, in order to show the amount of educational destitution in this country. I think, indeed, it will be universally admitted that there is a vast amount of educational deficiency in this country, and that although vast efforts have been made, and continue to be made, by voluntary associations and religious bodies to meet educational deficiencies, yet those efforts failed to reach a large number of our youthful population, whose educational requirements must therefore be provided for by Parliamentary enactment. It is a subject of congratulation for your Lordships that Her Majesty's Government, in propounding this measure, have taken a course in very marked contrast to that adopted by them last year, under similar circumstances, in connection with education in Scotland. I think your Lordships have reason to congratulate yourselves on having taken the course you did in reference to that measure, and thus gave to the Government time for reflection, and that that measure, which was so contrary to all sound principle, was arrested before it became the law of the land; and that in the subsequent Recess Her Majesty's Government had an opportunity, of which I confess they availed themselves on the whole in a very satisfactory manner, of reconsidering this question, and of introducing a measure more in accordance with the principles of sound political economy. The great difference between the present measure and that introduced last year with regard to elementary education in Scotland appeared from my noble Friend's speech, when he said that it would not disregard the great voluntary efforts which have been made in this country for the spread of education. It is impossible to peruse the Reports which have been issued from the Educational Department and not be aware of the vast strides which have been made, and are still being made, by various denominations for the education of the children of this country. I, therefore, rejoice to find that this measure of Her Majesty's Government bears full testimony to this great fact, and that it is based upon the principle which only can be recognized as the safe

principle — namely, that of utilizing those schools, and I trust the Government also desire to encourage them in every possible way. The Bill may be divided into three essential points. The first of these is the maintenance of existing schools; the next, the establishment and universal application of a Conscience Clause; and the third, the establishment of rate-aided schools. With reference to these three points, I will address a few observations to your Lordships. The first point that strikes an observer is, what is the Government about to do to effect the provision of adequate schools; and I am very glad to hear from my noble Friend that he does not intend, in an unreasonable manner, to hurry on the process of providing these schools. The explanation given by my noble Friend will bear out the position that a sufficient time will be afforded for voluntary schools to place themselves under those conditions which are required by the Government before they are regarded as public elementary schools. The time originally proposed by the Bill was one year; that has since been limited to six months; and I trust the explanation of my noble Friend upon that point will prove satisfactory, for, as I understood him, he says it will practically be 18 months before a school would be declared to have forfeited its right to comply with the requirements of the Educational Department and come within the Government scheme; and my noble Friend tells us that ample provision is made in the Bill for accepting new schools. Perhaps I have not made myself sufficiently acquainted with the Bill, but I have certainly not found the provision to which he alludes. The statistics in the Government Reports relate only to schools aided by the Government; but your Lordships will remember that there are a very large number of schools not in receipt of Government Grants maintained by the National Society under the Church of England, the British and Foreign Schools Society, and the Dissenting Bodies. If sufficient facilities are given to these schools to become part and parcel of that national system which the Bill intends to produce, one great point in a national system would be attained — the voluntary system of the country will be still further utilized; and thus the necessity will be obviated of imposing

additional taxes on an already over-burdened community. As regards the Conscience Clause, the noble Earl did not afford us any explanation in the course of his eloquent and lucid speech as to why the Conscience Clause originally contained in the Bill had been departed from. My Lords, the religious difficulty has been enormously exaggerated. The religion of Christianity has been presented to us as a thing to be avoided — as if the subject of religion was of so fearful a character that it should be passed by every means. We might apply to the divisions which have occurred upon this subject the lines of the poet —

*"Fœnum habet in cornu, longè fuge."*

I, for one, am far from desiring to violate the rights of conscience, and I believe that is the spirit which has uniformly animated the Educational Department. But while I admit the objections to the Conscience Clause have been greatly exaggerated, and that the Church would have done well had she recognized the necessity of a Conscience Clause long ago, I am compelled to say the Government, in its desire to meet some of the objections urged in "another place," have gone to the other extreme, and have really placed this question of religion in an almost invidious position. The Bill, as it was introduced, would have conciliated the most scrupulous conscience. It provided that if a parent objected in writing to his child attending any religious instruction, that child should be withdrawn from that particular lesson without sacrificing any of the privileges belonging to the school enjoyed by the other pupils. And what more was needed? But now we have a Time Table Conscience Clause regulating the times at which religious instruction shall or shall not be given, and in order to guard in the most scrupulous and exaggerated manner the rights of tender consciences, we are to have the religious teaching relegated to the beginning or to the end, or to both, of the hours of school teaching. This, I think, will be found to work in a most inconvenient manner, especially in the case of small village schools where the clergyman's time is limited. I allude to schools mainly supported by one or two influential persons in the parish, who would be ready to do all that the Educational Department required of them, to save the trouble of having a school Board. I do not object



to the establishment of a Time Table Conscience Clause, but I cannot approve the proposition that religious instruction should only be given either at the commencement or at the end of the school hours, because it would be absolutely impossible to collect all the children together at those periods. It must also be borne in mind that the religious education suitable for the elder children will not be fitted for the younger children. With reference to the transference of schools to school Boards, I admit that it may be necessary, under certain contingencies, that such a transfer should be made; but still this is a part of the measure which will have to be very carefully considered, as otherwise a great inducement will be held out to the managers of voluntary and denominational schools to hand over their schools to the school Boards. I do not think that the amount of aid which the Government is to afford to voluntary schools is very encouraging. It was stated by the right hon. Gentleman at the head of Her Majesty's Government, in introducing the new form of the Bill, that while an equivalent saving would be obtained by a discontinuance of the building grant, an additional grant of 50 per cent upon the expenditure of the school would be given. But what do I find in the Bill? The Bill provides that the amount to be granted by Government shall not exceed the amount of subscriptions and school-pence — or, rather, the amount of income derived from all other sources. Now, what will be the effect of that? One objection to the existing system is, that it gives aid where aid is not required; and so by the present Bill, in the richer districts, where the subscriptions are large, the assistance will be great; whereas, in the poorer districts, where aid is absolutely essential, but little assistance will be given, and endowed schools will obtain a great advantage over those possessing no endowments. If this part of the Bill is allowed to stand as it is at present, schools in the poorer districts must ultimately abandon their voluntary and denominational character, and fall upon the rates. This is one point of the Bill relating to voluntary schools which I should like to have seen better provided for. I should be glad to see a more permanent and legislative character given to the Minutes of the Educational De-

partment of the Privy Council relating to voluntary schools than they at present possess. In the Bill which I had the honour of introducing two years ago, I endeavoured to secure that object by proposing that all such regulations should be approved by the Legislature, so that those who had to depend upon those regulations might know to what they had to look, and not be subject to the action or will of Parliament during any particular Session. Circumstances prevented that measure from becoming law, and I am not prepared to contend that such an amount of permanence is really required. I think, however, that more permanence is required for these regulations than they will possess under this Bill. It would, perhaps, be sufficient if these provisions were required to be laid upon the Tables of both Houses for a certain time before they came into operation. I must now trouble your Lordships with a few observations upon the clauses relating to the rate-supported schools. Under these clauses the managers are empowered to determine the character of the religious education to be given in them. With regard to this part of the question, Her Majesty's Government had a most difficult course to steer, and they have done their work conscientiously, consistently, and straightforwardly. The change effected in this part of the measure since its introduction has been, upon the whole, for the better. As the Bill originally stood, it would have been competent for the managers to determine that the religious instruction to be given in their schools should be of a denominational character. Much as I, in common with other members of the Church of England, should desire to see the children in these schools brought up in the doctrines of that Church, I cannot avoid seeing that the Bill, as originally framed, would have given rise to local jealousies and disturbances, and Dissenters would have been justified in complaining that they were taxed for the support of a religion to which they did not belong. I think, therefore, that the proposal contained in the Bill as it now stands was hardly avoidable, and that it is better that it should be accepted. I think, however, that there is a very great omission in this part of the Bill, inasmuch as it does not require any religious teaching whatever

to be given, and that under it it might be possible for a school Board to determine that they would have purely secular teaching, without any religious teaching whatever. This is a course that has never been taken in legislation hitherto. There is not a single instance in which provision is not made for religious teaching. In legislating for the Army, the Navy, for the workhouses, and for the gaols, care has always been taken to insure that religious instruction shall be given; and if my noble Friend had looked through the previous Bills of Sir Robert Peel and Sir James Graham, he would have found that though endeavour was made to deal in an unsectarian manner, yet a provision was always made that religious teaching should form a part of school instruction. I can only regret that the present Bill does not insure that religious teaching of some description shall be given. With regard to one point upon which the noble Earl laid considerable stress, I must take exception. I refer to the clause which relates to compulsory education. The noble Earl went at length into the reasons which induced him to think it necessary that education should be enforced by direct and not by indirect compulsion; but I must say that the noble Earl failed to convince me that that provision is at all desirable. In the first place, we have the testimony of America that direct compulsion does not altogether answer. The Rev. B. G. Northrop, Agent of the Massachusetts Board of Education, reports—

"No fact connected with our schools has impressed me so sadly as the extent of truancy and non-attendance, and the strange apathy of the public as to this fruitful form of juvenile crime. The great evil calls loudly for a remedy. In a few townships the laws in reference to truants and absentees from school are faithfully executed with the happiest results, while in others the laws are overlooked or utterly disregarded."

As to the compulsory system, if it be good at all it is good for the whole country. Worked partially it may do the greatest injustice where it is imposed, and it may really be called for in places where it is not imposed. No power is taken by the Government as to inquiries why it is not imposed. In the Hours of Labour Act there is a provision for indirect compulsion; and, alluding to the working of that provision, Mr. Robert Baker, one of Her Majesty's principal Inspectors of Factories, says—

*The Duke of Marlborough*

"The Hours of Labour Regulation Act, from which the greatest educational results might have been anticipated, in addition to the causes which have prevented the development of the Factory Act Extension Act, has been inoperative from many other inherent defects. The local authorities, who were invested with power to administer it, have, in most instances, declined or neglected that duty. Several of them have refused to entertain the consideration of it at all. And, truly, if a proof was wanted of the futility of trusting the education of the people to local authorities, either in erecting new schools, or in maintaining them afterwards, we have it in the inaction which they have so largely exhibited under this Act, notwithstanding every effort to induce them to activity."

In the Bill, power is taken for the Committee of Council to act vigorously in case the local authorities are in default with respect to the establishment of schools; but I think it is a serious defect that no power is taken for the Committee to oblige the local authorities to put the compulsory system in force where it may be required. Again, it appears to me there will be considerable difficulty in saying who are the children to whom the compulsory system ought to apply—because no distinction is drawn as to classes of children. The intention, I presume, is that it shall apply to the children of the labourers; but that is not stated in the Bill. If the school Board resolve that there is to be compulsory education in a neighbourhood, a Census is to be made by an officer acting under the Board. He may go from house to house, visiting the houses of the rich as well as those of the poor, and any child who, in the opinion of this officer, does not receive a sufficient education must be sent to school. I think that is a great defect in the Bill, because persons who voluntarily send their children to school will be made to appear to do so by compulsion, and that zeal on the part of the parents, which is so necessary under any system of national education, will be materially diminished. I am sorry that a Bill which has great inherent merits should be so defective in this and other particulars. Although the Education Department has taken pains to invest themselves with authority and control over the school Boards, I question whether sufficient power is taken in respect of the nature of the education given in schools, the mode in which it is imparted, and the acquirements of the teachers. I think the Government exercised a wise discretion in abandoning the arrangements they originally pro-



posed with reference to the conditions on which grants should be given. It is right to treat the voluntary schools as schools to which grants should be made in aid of secular education; but in the case of rate-supported schools, regard should be had to the interests of the ratepayers. My Lords, I cannot sit down without thanking Her Majesty's Government for this Bill. I believe it has been brought in at a favourable conjuncture, and I quite concur in my noble Friend's eulogy of the Vice President of the Committee of Council. In my opinion the Bill is framed with much ability and a conscientious desire to secure the education of the children of this country. I therefore, my Lords, hope that after it has received some Amendments, it will become law, as a measure which will contribute materially to the prosperity and happiness of the kingdom.

THE BISHOP OF GLOUCESTER AND BRISTOL said, he heartily joined in the testimony which had been borne in their Lordships' House to the distinguished statesman who had charge of this Bill in the other House of Parliament. Assuredly a measure like this was one that had required great consideration on the part of those who framed it, and he recognized the difficulties in the way of passing a satisfactory measure; and while acquiescing in this measure, he felt he was acquiescing in many things that were distasteful to the feelings of the friends of denominational education. The noble Duke (the Duke of Marlborough) had spoken so fully on the 7th section—the one containing the Conscience Clause—that he need not dwell very much on that subject. He would, however, say that for many years there had been in this country a system of education in which a Conscience Clause was practically adopted. He was afraid there had been instances in which undue use had been made of the power possessed by individuals, but these were only very exceptional cases. Having had some acquaintance with a large number of schools and with the action of the clergy in a rather large diocese, he could conscientiously say he knew of no instance whatever in which he had not found the clergy acting as if the most binding Conscience Clause were in force. The Bill, however, contained not only a

Conscience Clause, but one enhanced and sharpened by a time-table—as though the clergy were in the habit of pressing upon children religious teaching to which the parents objected. Again, Her Majesty's Inspectors were not to examine into the religious education given in the schools. The Inspectors heretofore, by their judicious and intelligent examination of the children in religious subjects, had done much to further religious education in the schools; but this encouragement was now to be withheld, even if the Inspectors were requested to make such an examination. In another part of the Bill there were what appeared to him painful words—that in the rate-supported schools no catechism or formulary distinctive of any religious denomination was to be used; and if the terms and conditions thus laid down were contravened the judges were to be not persons who might be considered impartial, but the Educational Department, whose decision was to be final. Another point was that, while the school Boards might acquire a denominational school, no facilities were provided by which a denominational school might acquire a rate-supported school, and the friends of denominational education had serious cause to complain of such an omission. A feature in the Bill, to which he thought just exception might also be taken, had been well developed by the noble Duke—he referred to the limitation of the grant. This limitation pressed injuriously upon the poor schools, which would not only be in a position of comparative destitution, but would have—and this was the hardship—to compete with a system under which there would be a certain power of the purse. The Bill was not originally so framed, and the change was by no means satisfactory. As an humble friend of education, it was right he should speed with good wishes the measure now proposed. There were many provisions in the Bill which one might thankfully receive, while there were other provisions which he trusted would receive such Amendments as would enable him to look forward with confidence to the success of the measure. He had recently read that there were three things which Englishmen disliked. The first was rates, the second compulsion in any form, the third that education should be dissociated from religion. Each one of these prin-

[*Second Reading.*]

ciples was, to some extent, recognized in the Bill; and he thanked the Government from his heart especially for having recognized the last principle in the teeth of many difficulties.

THE EARL OF SHAFTESBURY: My Lords, having been for 25 years concerned in the education of the poorest class of children in the metropolis, I should be unwilling to let this subject pass without alluding to the great efforts and munificent voluntary contributions of those who have carried on that work, and who might, if no reference were now made to them, think they were slighted. The delay in bringing this Bill before your Lordships is not the fault of the Government, who did all in their power to bring it up to this House in proper time, but is to be attributed to the tedious and unnecessary debates in the House of Commons. I suppose no Bill of such importance ever came before the Legislature with so small a Preamble, for in this case it does not state any principle which is to govern the enactments. However, notwithstanding all its imperfections, I think this is the best Bill which the Government, considering the circumstances of the case, could have propounded and carried. After all the opposition which the measure has encountered in the House of Commons from a strong combination of secularists and political Dissenters, I am astonished at what the Government have effected, and I should like to join in the tribute of admiration that has been showered upon Mr. Forster — admiration both of his talents and of his courage, and of the way in which he has, amid the greatest difficulties, stood upon his own firm, sound principles, and, rescuing us from a prohibition of religious teaching, has carried them to a successful issue. This Bill has a due regard to what has been done by the members of the Church of England and the various denominations, and does not run revolutionary riot among existing institutions; and while it has abstained from endeavouring to found a uniform system of national education, yet if it should hereafter be thought desirable to establish one, the country will have gained some experience as to how far such a thing is possible or desirable. I think it would have been well if the other House of Parliament had maturely considered for what class they were about

to legislate, and the age and condition of that class—it would have spared a world of discussion, because, in considering “the religious difficulty,” the whole argument turns upon the supposition that the education is meant for persons of mature age, people with a sort of insatiable appetite for dogma of every description, and who are assumed to be somewhat settled in their mental and physical habits; whereas, in fact, the great bulk of the children whom we seek to educate are of tender years and those of wandering parents, who never continue in one dwelling for more than three or four months. I do not believe that the religious difficulty has ever had any existence whatever except as a euphonious term for the assault and defence, oftentimes not wisely conducted on the part of the defenders, and certainly not justly on the part of the assailants of the Established Church. The catechism has been taken as a stalking-horse, and while, on the one hand, some people have chosen to assume that if you taught the catechism you necessarily made a man a thorough believer and a good citizen; on the other hand, people have assumed that people who were taught it were driven into Conservatism, and probably into Romanism. I do not believe that the religious difficulty ever has had, or ever will have, any existence among those who are banded together for the purpose of teaching the great and saving truths of the Gospel, and who do not devote their time to the education of children for the purpose of advancing their own denomination or maintaining their own Church. I think all the facts we have will bear out that statement, and I should like to quote to your Lordships four instances in which religion is taught without obstruction or misgiving. Your Lordships may remember the testimony given by Dr. Mortimer, the Head Master of the City of London School, in which a sound religious education is given; the Head Master is almost invariably a member of the Church of England, although the Governing Body consists of persons of all denominations, including Jews. Then there is the Borough Road School, which gives a most efficient religious education; that school is supported by both Nonconformists and members of the Church of England, and yet over a great many years there has been no difficulty or



collision whatever in religious teaching. Your Lordships may recollect that a large body of teachers who came from all parts of the country assembled at the Westminster Palace Hotel and went as a deputation to Mr. Gladstone; they stated that in their experience, during a number of years and in a great variety of schools, although they had to deal with every class and denomination, the religious difficulty had never arisen. Let me also draw your Lordships' attention to the work of the Ragged School Union in London, and this is the more important because that Union educates that class of children to provide for whom this Bill is intended. We have upon our books 45,551 children of the most ragged and destitute class; our average attendance is 32,231 in about 300 schools; our voluntary teachers of every denomination number 3,600; yet never once in the whole course of 25 years has there been the slightest difficulty or collision, or the least variance among the teachers.

THE EARL OF HARROWBY: Is there any Time Table Conscience Clause in any of them?

THE EARL OF SHAFTESBURY: No; none of any sort or kind. The children are of no denomination; the parents may be, but they are mostly indifferent, and they only seek to have their children educated. In one school, for instance, the teachers are 38 in number, and what are the proportions? Belonging to the Church of England there are 8; to the Wesleyans, 8; to the Baptists, 12; to the Independents, 8; and to the Plymouth Brethren, 2; and although the Baptists and the Plymouth Brethren have peculiar and distinctive notions, there has never been any collision. One superintendent writes to me—

"I sometimes have as many as 53 teachers of various denominations, and never in the course of 18 years did I ever hear of any approach to difficulty."

In another school the number of teachers is 40; they consist of Wesleyans, Baptists, Independents, and members of the Church of England in equal numbers, yet the superintendent reports to me that there has never been in the course of many years a single religious difficulty. Having been conversant with these schools for more than 30 years, having gone over the greater number of them, and having had reports from

all of them at various times, I can only say that I never heard of the occurrence of any religious difficulty. But your Lordships may ask—"What is taught in these schools?" They certainly do keep clear of any denominational distinctions; the clergy and the lay members of the Church of England do not bring forward anything relating to episcopal government; the Baptists do not bring in their peculiar notions, nor do the Wesleyans, but they all teach the great saving doctrines of Christianity. And if your Lordships' ask—"What has been the effect produced?" I refer you to our Colonies, to the numbers of those who have been sent out, and to those who are in the service of farmers and tradespeople, all of whom have been taken from ragged schools and drawn from the very depths of society, and of whom I can say that a large proportion keep up the character they acquired at school, and have never fallen into evil courses or disgraced the education they received at the hands of their excellent teachers. And it should be remembered that the plan of these ragged schools is to catch a child as he flies rapidly by—as his parents come and go, and the teachers rejoice to have the opportunity, during the short time, a few weeks, perhaps, the children are with them, of imparting to them some of the saving truths of the Gospel. As to the question of compulsion, I think I may safely say that with compulsion you will do next to nothing, and without it you will do nothing at all. It is the most difficult and complicated question you can well consider—and why? If you had to deal with large masses of children who were in permanent dwellings, who had fixed habits, who were under the charge of parents or guardians, or who resided constantly or for any length of time in the same domicile, they might be brought under a system of compulsion if you thought it just. But look at the character of the population with which you have to deal. It is estimated that school accommodation will be required for about 400,000 children. I think that estimate is too high, but whether the number is larger or smaller fully two-thirds will be the children of a roving population. I went through one district in the Northern part of London, and the clergyman informed me that the whole of the population in his parish had been completely

changed in the course of 12 months. I examined one large ragged school, where there were 700 or 800 children, yet not one of them had been there six months. But of the whole 45,000 of those children who are on our books in the ragged schools there are not 2 per cent who attend for a whole year. A very large proportion attend for six months, a large proportion for three months, and very many for a less time. You have 40,000 or 50,000, sometimes 60,000 persons moving like Scythians round London in search of employment, and who never remain more than three or four months in any one place. But, in addition to other causes which induce their children to lead a rambling life, they, about this period of the year, leave London by tens of thousands for the purpose of engaging themselves in hop and pea picking and other rural and profitable employments. Now, how, I would ask, is it possible that in dealing with children of this class you can have a system of compulsion, and drive them all daily to school? If you were to mount 100 Inspectors on bicycles, and were to get them to ride about the country until they ran the risk of being brought before the police for furious driving, it would be out of your power to reduce those children to a state of such order and discipline. They would get out of your sight, and you could not say where they were from time to time. It is perfectly true that Mr. Fearon, in his excellent Report with respect to Leeds and Liverpool, proposed a system of compulsion which he thinks would meet the difficulty of the case. He says—"Take those children and feed and clothe them;" and if you adopted such a system as that with those 300,000 or 400,000 children, they would, no doubt, come immediately within your reach; but, then, is it not very questionable whether that would be an advisable course to adopt? Would you not, by such means, introduce pauperism on principle? But let me suppose that it is mechanically possible to force some of those children to attend school regularly—and in some parts of the rural districts, as well as of London, where employment is somewhat fixed, it might be possible to do so—the question arises how far it would be just for the State to compel such attendance. I do not deny that the State has the power—and power is often held to con-

*The Earl of Shaftesbury*

stitute right—to compel the attendance of children at school; but how far would it be just in the exercise of that authority to deprive parents of the earnings of their children, on which they, in so many instances, so largely depend for support? In the case of families with children of 10, 11, and 12 years of age—I am sorry the age has been altered from 6 and 13 to 5 and 12 in the Bill—it would be a very serious infliction to deprive them of the earnings of their children while they would be under the necessity of clothing and feeding them during the time they were being educated. I do not believe it would be possible to bring a system of compulsion into general operation under such circumstances. At Bethnal Green an endeavour was made some short time ago to bring the Workshops Act into operation, but the local authority refused to do so, on the ground that it would be inflicting a great hardship on many families. If we could introduce the factory system, that combination of labour and education, we should, I think, be conferring a very great boon; and it may, by degrees, be possible to introduce it, although not on precisely the same footing, because in the case of factories regulated, as they are, by steam-power, it is very easy to adopt the half-time system. There is a way, however, in which, in my opinion, we can advantageously combine labour and education among the agricultural classes, and that is by a large institution of evening schools, with peripatetic schoolmasters; but of the 45,000 children of whom I have just been speaking, 9,000 attend evening classes up to the ages of 12, 13, and 14. The difficulty might, to a great extent, be solved by the adoption of such a system, and I do not regret that the Bill is so drawn as to leave it optional with the school Boards to compel the attendance of children at school. In some localities it can be done, but in a great many it will require much care and consideration and a great change in the conditions of society before this provision can be made to work effectively. With respect to the question of religious teaching also I sympathize deeply with my noble Friend the noble Duke who spoke this evening, as well as with Sir John Pakington, in their desire to render it compulsory that the Bible should be read every day in the schools. I am



convinced, however, that it would be altogether impossible to carry out such a proposal, and the only safe way is, in my opinion, to leave the matter to the discretion of the Governing Bodies. The proposal is one which I am sure could not be enforced. There is, no doubt, considerable feeling in this country on the subject of religious education, but that feeling arises from many and mixed motives. There is a very strong opinion in many quarters that the Bible should not be excluded from our schools. It is contended that to do so would be a breach of religious liberty; but I am satisfied, from the inquiries I have made, that a proposition to introduce the reading of the Bible forcibly would be rebelled against by those who are opposed to its exclusion on the same ground—that it would be a breach of religious liberty. I think, therefore, we shall exercise a sound discretion in leaving this important matter to the judgment of the local Boards. The Bill, I may add, although it does not contain any great principles, contains provisions which are calculated to bring about a very great change in the whole system of education in this country. I am afraid the affirmation of the principle that the State, as a parent, has a right and that it is its duty to see that a child is educated, and that proper provision is made for that education will, if gradually, still completely, destroy our whole voluntary system. I believe, indeed, it will absorb not only schools of this description, but those of a very much higher class. Many persons of property now contribute their money towards the promotion of education because they think the obligation lies upon them, and that if they did not discharge the duty it would not be performed at all. But when the duty becomes recognized as devolving on the State they will be apt to regard themselves as freed from the obligation. I am astonished, therefore, to hear of the fears which have been expressed by Secularists and Dissenters in the House of Commons, for it appears evident that the tendency of things in this country is to the establishment of rate-provided schools and the institution of secular education. The common school system of America is very similar to that which we are now about to establish, and there they are gradually eliminating the Bible from their schools. From the last paper which I received from Cin-

cinnati I find that the decision has been arrived at that the Bible should be struck out of the great school there. Such is the tendency of the present day, and they are, in my opinion, in error who suppose they can redress the balance by means of Sunday schools. In America the Sunday schools are not attended by 40 per cent of those who go to the day schools; and when you send children to school for six days in the week it will be accomplishing something superhuman if you can secure their voluntary attendance on Sundays for the purpose of learning the truths of Christianity. As to the Bill, I must say I do not expect very much from it. Neither in Prussia, nor in America, has a similar system produced a moral, though it may have stimulated an intellectual, life. I can have no confidence in any system of education which is not based on the great doctrines of religion, and which does not impart to the mind of a child a deep sense that it is an immortal and responsible being, that an invisible Eye sees into its inmost heart, and that there will come a day when it must render an account not only of its actions, but also of its thoughts. Idleness is, I believe, ten times more dangerous than ignorance. The temptations which beset all of those whom we are going to educate multiply from day to day. I have the testimony of the Ordinary of Newgate to the effect that the promotion of education has stimulated, to a great extent, the reading of impure literature, and has given an amount of intellectual quickness which enables persons, who formerly could not do so, to pander to the taste for such literature by writing articles for publication. I do not make these remarks by any means with the view of stopping the progress of the Bill. The Bill, such as it is, will, I hope, produce some good. I trust your Lordships will accept it, for it is, at any rate, a step in the right direction. I hope the blessing of God may rest upon it, and if it turn only a few hearts of the disobedient to the wisdom of the just, it will be a measure worthy of Parliament and not unworthy of the prayers of a Christian nation.

LORD HOWARD OF GLOSSOP said, he must ask the indulgence of their Lordships, as one of a very small number of Members of their Lordships' House who might be said to represent in it a very large body of poor persons

[*Second Reading.*]

in this country who stood most in want of education, and who, by reason of their poverty, had comparatively little to spare with which to obtain it. It had been stated by a very high authority in "another place" that the educational destitution of that body was so great that it might constitute one-sixth of the whole educational destitution of the country. They lived in days when great events occurred unexpectedly and suddenly produced results; but the measure before the House was so great that it was difficult indeed to realize what its results would be. It was, in fact, a measure that required much skill and boldness to bring forward at a time when the Birmingham League put forward views anything but favourable to the voluntary system. They held that, although the voluntary system of education had done some good, it ought, nevertheless, to die, and all the favour they could grant it would be to let it die in a quiet and tranquil manner. But, surely, the voluntary system had done a great deal of good in its time, and might have done a great deal more had it not been starved. Prussia was pointed to as the model on which we ought to form our educational system; but Prussia educated only one person in every  $6\frac{1}{2}$  of the population, while in this country one person in every  $7\frac{1}{2}$  of the population was educated by voluntary efforts. It was quite true, however, that the quality of the education might not be so good as in Prussia. In 1854 there were in this country 410,000 children under Government inspection; while in 1868 the number had risen to 1,330,000. Besides this, the amount raised from private sources for promoting education was double what came from the national Exchequer. As we were about to change the existing system of denominational education, it would be well to consider what had been the experience of other countries. The Reports of the Government Commissioners showed that in Prussia the State-supported schools, which at first were more or less religious, but not denominational, had proved failures, and that when new schools were established they were on the "confessional," or denominational, model. In fact, it was stated in these Reports that in 1822 the Prussian Government acknowledged its system of education to be a failure. Again, the American common

school system had not been so successful as was generally supposed, because many of the people preferred to send their children to schools of a more decidedly religious character. Against the case of Cincinnati, mentioned by the noble Earl who last spoke (the Earl of Shaftesbury), he might cite that of New York, where the education was strictly denominational, and where money had been directly voted to the Catholic schools for two years past. In Holland the schools were becoming more and more religious; and he had heard that in France one might judge of the characters of heads of families by their anxiety to place their children in schools religiously conducted. The feeling of this country, he maintained, was in favour of religious or denominational schools. Eighty-five per cent of the population had been educated in such schools. Consequently, if a general system of rate-supported secular schools were established, a great hardship would be inflicted on those persons who desired to educate their children religiously. He by no means blamed the Government for what they had done; but, on the contrary, thought they had met a great difficulty with boldness and success. He could not entirely sympathize with the measure; but hoped it would pass into law, although even now he should like to see some emendations introduced into it. Was this a time, he asked, to discountenance religion? No—it should be encouraged in every way. He was afraid that if religious teaching in schools was to be treated in the way proposed in this Bill, it would be considered a kind of myth—the children would either think religion of no consequence at all, or else come to the conclusion that every man might make a religion for himself. For his own part, he was in favour of denominational teaching, both doctrinal and specific. The Bill would be a retrograde movement, to a certain extent, so far as the Catholics were concerned. Many years ago they came to a specific understanding with the Government on the subject of education, and received various privileges, such as that of having school Inspectors of their own religion. These privileges they were now asked to give up—and he might remark that they relinquished them with a good grace in order to show their desire to promote the education of the country at large.



From the late Report of the Government Commissioners, it appeared that the fees in Catholic schools were lower and the voluntary subscriptions higher than was the case with regard to the schools of any other religious body. The Catholic schools also had more week and day scholars than the schools of any other denomination except the Church of England and the British and Foreign schools. The noble Earl opposite (the Earl of Shaftesbury) thought the question of religion presented no very great difficulty, but the Roman Catholics entertained a very different opinion. It was quite contrary to their principle of education, which conveyed doctrinal religious teaching from the earliest years; and it would be a great hardship on them to have to send their children to rate-aided schools, where they would not find a master or mistress or manager of their own religion. With respect to the arrangements in the Bill for children withdrawing, the parents could not take advantage of the Conscience Clause; because, if they did so, their children would have no religious instruction given them, and if they did not withdraw they would be instructed in a way repugnant to the feelings of their parents. That was a hard case. The Government Inspectors said it was not so much the teaching by book, but the silent influences at work in the school—its moral atmosphere—which conveyed religious impressions to the young; and against this the Conscience Clause afforded no protection to Catholics. In Prussia denominations were assisted by the State to build schools. Similar provisions were made in Canada. He regretted it was found impossible to do the same in this country. Contrasting the denominational with the rate-supported schools, he desired to point out the superior advantages which the latter would possess. The managers could insist upon sites, but some denominations had the greatest difficulty in obtaining sites. The power to remit school fees given by the Bill to school managers would be sure to attract the poor, and he feared that in this way Roman Catholic children would be drawn into the mixed schools; and thus the result of this legislation—though unintentional, would be to bring back upon the Catholics those disabilities from which after a long struggle, they had

recently been relieved in respect of prisons and workhouses. His apology for trespassing so long upon their Lordships' time was the knowledge that it would be some satisfaction to those whom he represented to know that an appeal had been made in their behalf to the Legislature. Their hopes outside the Legislature were few. The local authorities in important centres, such as Liverpool, had made grants for Roman Catholic industrial schools, but they could not be depended on in the case of elementary schools; though some might come forward, especially if they were asked only to supplement a good subscription list, because that would tend to lighten the general charge upon them for schools. A revision of the Revised Code in their favour would also assist them. But, whatever the fate of the Bill, he trusted the children of the country would be educated in a way which would not do violence to religious principles, without acknowledging which no country could be, and certainly no country deserved to be, prosperous.

THE DUKE OF RICHMOND: My Lords, it is not my intention to detain your Lordships by any very lengthy comments upon the Bill before you; but its importance is so great that I am unwilling to let the debate close without a few words. I am gratified to find that at last I can agree with my noble Friend (the Lord President) on the principle of a measure which he has introduced, and that I can give my cordial assent to most of the details. The principles of the Bill, as laid down by my noble Friend, are briefly these—That elementary education shall be within the reach of every child in the country; that religious instruction shall be recognized in such education; and that no child shall be compelled, contrary to the conscientious wish of his parents, to attend the religious instruction to be given in the schools under this Bill. In the words of the Prime Minister, we are to have entire liberty of teaching combined with entire liberty of withdrawal. I regret, however, that this has not been carried out as fully as it might have been in those parts of the Bill which deal with the Conscience Clause. I do not think my noble Friend, in moving the second reading, at all exaggerated the insufficiency of means of education throughout the country; but I believe the dearth

[Second Reading.]

of which he complained exists mainly in the thickly populated districts, where the demand has outgrown the supply, and not in the agricultural districts, where ignorance arises rather from the unwillingness of parents to send their children to school. The difficulty in the latter case is not so much to supply a deficiency of schools and instruction as to induce the parents to give their children time for instruction. That there is much to be done in the way of providing elementary education is, I believe, admitted by all, and I think the course adopted by the Opposition in the House of Commons must have shown that we are convinced of the necessity for some such measure as that introduced by Her Majesty's Government. We have, in supporting this measure—I speak for myself and the party with which I have the honour to act—given up many points which we have for many years considered most important with regard to the religious instruction of the people. I am quite aware that this is not the time to insist too much on these views, and that on questions in which the interests of the people are so manifestly wrapped up, as in the question of education, it would be unwise to carry opposition and conscientious conviction too far, and so by an excess of conscientiousness prevent the opportunity that now presents itself of improving the education of the country. If time had permitted, and your Lordships had not been occupied so long in discussing the subject, I should have liked to have pointed out what great educational benefits have accrued to the country from the exertions of the Established Church. In the very valuable Reports of Mr. Fitch and Mr. Fearon—particularly when speaking of such large towns as Leeds, Birmingham, Liverpool, and Manchester—there are many passages which show that the Established Church has been fully alive to the wants of the people, and that, so far as it has laid in her power, she has carried the blessings of education to all within her influence. It is satisfactory to find by reference to these Reports that, although there has been a very considerable agitation going on against the existing system of education, a vast number of our fellow-countrymen have been occupied in the less exciting, but more important, duty of carrying on the work of education in all its forms throughout the

country. I am glad to see by the measure they have introduced, that Her Majesty's Government have not ignored those exertions, and that they propose to recognize the existing state of things as regards the education of the people, that they merely supplement that system, and that in no case where there has been a sufficient amount of school accommodation and instruction do they interfere or introduce a system of rates and school Boards. There are, however, many portions of the measure now under consideration which are not exactly in accordance with the views I entertain; and, without at this time going into details, which will have to be discussed at a future period, I will briefly allude to some of the more salient points of the Bill, with the view of drawing the attention of my noble Friend to them, so that he may have an opportunity of considering and amending them in Committee. But, before doing so, I also must add my tribute of admiration to the manner in which the right hon. Gentleman the Vice President of the Committee of Council, with whom I have not the honour of being personally acquainted, has carried the Bill through the other House of Parliament. He deserves the greatest possible praise from all those who are interested in the well-being of the people, and who wish for their instruction. In dealing with the Bill itself, I must, in the first place, draw attention to the terms of Clause 16. That clause says—

“ If the school Board do, or permit any act in contravention of, or fail to comply with the regulations according to which a school provided by them is required by this Act to be conducted, the Education Department may declare the school Board to be, and such Board shall accordingly be, deemed to be a Board in default, and the Education Department may proceed accordingly, and every act or omission of any member of the school Board, or manager appointed by them, or any person under the control of the Board, shall be deemed to be permitted by the Board, unless the contrary be proved. If any dispute arises as to whether the school Board have done or permitted any act in contravention of, or have failed to comply with, the said regulations, the matter shall be referred to the Education Department, whose decision thereon shall be final.”

The point in that clause to which I object is this—the Educational Department is to declare that the school Board is in default if they have in any way failed to comply with the regulations under which a school is required to be conducted, and,



having considered and decided the matter, they themselves, in the event of any difference of opinion on the subject, are to decide whether that judgment is correct. The Educational Department is thus placed in the anomalous position of being first complainant, then judge, then jury, and eventually a Court of Appeal from itself; it is to possess, in fact, despotic power over the school Boards. The 22nd clause, again, gives a very serious power to school managers of transferring their school to the school Board. If this power is to be given at all, it should not be conveyed in such general terms. I think it would be far preferable if such a transfer were to be by lease and not absolutely. The 23rd clause states—

“The school Board may, if they think fit, pay the whole or any part of the school fees payable at any public elementary school by any child resident in their district whose parent is, in their opinion, unable from poverty to pay the same; but no such payment shall be made or refused on condition of the child attending any public elementary school other than such as may be selected by the parent; and such payment shall not be deemed to be parochial relief given to such parent.”

That is a wrong principle, and I doubt whether it will confer any benefit upon those supposed to derive an advantage under it, because I have always found that the poor do not sufficiently appreciate anything for which they pay nothing. Again, the 39th clause states—

“Where the Education Department are of opinion that it would be expedient to form a school district larger than a borough, or a parish, or any school district formed under this Act, they may, except in the metropolis, by order made after such inquiry and notice as hereinafter mentioned, form a united school district by uniting any two or more adjoining school districts, and upon such union cause a school Board to be formed for such united school district. A united school district shall for all the purposes of this Act be deemed to be a school district, and shall throughout this Act be deemed to be substituted for the school districts out of which it is constituted, and the school Board of the united school district shall be the school Board appointed under this Act, and the local rate and rating authority for the united district shall be in each of the constituent district thereof the same as if such constituent district did not form part of the united school district.”

I must confess that it seems to me that considerable injustice might result from a parish the education and school accommodation in which was perfect being compelled, as part of a united school district, to pay school rates. I now come

to another point that was dwelt upon at great length by the noble Earl—namely, that which relates to the system of compulsion. And I really hope that after what has fallen from the noble Earl upon this subject, and more especially after his statement that a Bill dealing with the whole question of compulsion will be introduced into Parliament next year by Her Majesty's Government, he will see the advisability of withdrawing this part of the Bill. I should much prefer to see this principle in the form of indirect compulsion than in that of absolute compulsion, which, as the clause is framed, may inflict much hardship and injustice on individuals. I am convinced that it will be impossible to carry out a system of enforced compulsion in the agricultural districts which shall be just to all parties concerned. The noble Earl has said that the system of indirect compulsion only touched those children who were at work. But what would be the effect of direct compulsion? Take the case of a man earning very low wages who did not send his children to school. On being fined by the magistrate he would be able to make out so good a case that the fine would have to be remitted; while, on the other hand, the fine would be enforced against the man who earned good wages. Compulsion would thus operate unequally, and would give rise to jealousies and heartburnings. I think also that the noble Earl will, upon consideration, be of opinion that the 96th clause is one which ought not to remain in the Bill. That clause states—

“The managers of every elementary school shall have power to fulfil the conditions required in pursuance of this Act to be fulfilled in order to obtain a Parliamentary Grant, notwithstanding any provision contained in any instrument regulating the trusts or management of their school, and to apply such grant accordingly.”

Thus the managers of the schools may, if they please, set at naught the trust deed under which the school was founded. A more dangerous principle than this I cannot conceive. My Lords, I am anxious not to transgress too long on your attention in the present state of the House and at this hour in the evening; and, therefore, I have stated only generally the views I entertain on the educational part of the Bill. I now come to a part which, I think, cannot be considered educational. Indeed, I do not imagine that my noble Friend (Earl de

[*Second Reading.*]

Grey and Ripon) regards it as educational, because if he did, he would have felt it his duty, as President of the Council, to give us some information about it; but he has not done so. I allude to that which I think I may describe as the political part of the Bill—that which prescribes that the election of school Boards shall be taken by way of Ballot. I thought that my noble Friend, with his eloquence, ingenuity, and talent, would have brought forward some argument to show why election by Ballot should be introduced at all; but, having attentively listened to his speech, as did all your Lordships, I heard nothing, from the beginning to the end of it, which would have led me to suppose that he was going to deal with the Ballot in this Bill. I think that by introducing the question of the Ballot into this Bill, Her Majesty's Government are going far to prejudice the much larger question of education. I am sure it is not because my noble Friend and his Colleagues feel that the question of the Ballot is not likely to progress this Session—I am sure it is not on that account that Her Majesty's Government seek to strengthen their opinions on the matter by introducing it thus incidentally into this Bill. As, then, I do not think it is introduced to air the opinion of the Government on the question, I am quite at a loss to know why it has been put into the Education Bill. My Lords, what is there analogous between education and the Ballot? The former has nothing to do with the latter. I cannot conceive what you want with it, unless you introduced it for the mere purpose of provocation. It seems very like the operation of holding a red flag in the face of a bull. My noble Friend, having learnt by the experience of this Session, and particularly by that which he must have acquired during the debates on the Irish Land Bill, that we are not so violent in our opposition as to be useful, or exciting, or amusing to him, may have introduced the Ballot in this Bill, in order to make us so. Believing that no necessity exists for the Ballot in this Bill—believing that this Bill can be made to work perfectly well without the Ballot, and believing in the necessity—the urgent necessity—of passing some measure that will extend the benefits of elementary education, I hope that in Committee I shall be able

to induce your Lordships to strike out that part of the Bill which provides for election by Ballot. Thus much, my Lords, for the main features of the Bill. I confess it contains numerous provisions with which I am not altogether satisfied, and that it does not contain others which it would be well to introduce; but, in assenting to the second reading and going into Committee, we shall show our determination to deal with this important question, even at the risk of sacrificing some long-cherished opinions, and I believe we may pass a measure which will promote the happiness and prosperity of future generations by laying the foundation of a system of education suitable to the requirements of a Christian people.

THE EARL OF HARROWBY said, he desired to say a few words expressive of his opinions upon this subject. It was impossible to have watched the passage of this Bill through the other House of Parliament and the difficulties that the Government had there to encounter, without acknowledging that they had good reason for feelings of exultation at the success which had enabled them to bring up the measure to their Lordships in its present shape. But when he came to consider the Bill he must say that it seemed as though, while they had escaped great dangers, they had not gained many great advantages. Although the Bill extended education, he thought that if, instead of adopting the Revised Code, they had gone on with the old system of giving every encouragement to voluntary efforts, they would have done much better. What was there in this Bill that would improve the quality at the same time that it increased the number of the schools? Would the ratepayers be more assiduous in improving the quality of the schools than the voluntary subscribers were? Would it be improved in the rate-supplied school? The ratepayers would probably elect a similar class upon the school Boards as now managed the workhouse schools—and these were certainly not model schools—and there was no reason why they should have better masters or mistresses than before in the schools in the country. There was an array of kindly feeling around the voluntary schools which were now the great link between different classes of society, and which united in some degree the squire, the clergy, and the poor. The



upper classes furnished the children in the schools with recreation; they tried to promote their welfare in their future life; and indeed they looked upon them in the light of clients. How would the rate-supported schools promote the formation of any link like that which now existed? Looking at the difficulties which the Government had had to overcome, and for having overcome which they were entitled to the greatest praise, he accepted the Bill as a political necessity; but looking at it in the interest of the children who required education, he could not regard it as a satisfactory measure. How were the small schools, inferior in number and in wealth, to receive assistance? Looking at the matter purely in the interests of the children, he could not but think that to whatever extent they obstructed the progress of the voluntary system or withheld assistance from it, they did a positive evil. How were they to make arrangements for ragged schools and for night schools? how would their cast-iron system meet all these requirements? Would they compel the children of the honest hard-working artizan who was rising above his fellows to associate with others from whom contamination might be feared? Again, the Bill did not give facilities to the voluntary schools for borrowing money upon mortgage that were given to the ratepaying schools; and people were to be compelled to send their children to schools that they might disapprove of. Looking at the whole matter, it seemed to him that the interest of the children was the last thing thought of.

EARL FORTESCUE said, that although for many years this question of education had occupied his attention, he did not now propose to detain their Lordships by going into the general question. He believed that for a long time a great mistake had been made in undivided attention having been given to providing for the education of the wage-earning class, the education of the middle classes having been left out of consideration until the last year or two. The thanks of the country were now due to the Government in general, but more especially to the right hon. Gentleman who had had charge of the Bill in the other House, for the manner in which they had dealt with this important and difficult question. He thought the measure, on the whole, decidedly a good

one—indeed, a better than at one time seemed likely to pass; yet he could not but regret that there were some omissions, the prominent one being the absence of any provision for creating a responsible Minister of Education—an omission which he the more regretted because there was in the Cabinet one Minister of the Crown who had shown himself admirably qualified to discharge the important duties that would attach to such a post. There were tax-supported schools connected with the Army which were under the control of the Secretary for War; and there were others belonging to the Navy which were under the direction of the First Lord of the Admiralty; and there were in all parts of the country schools that were partly supported by a Parliamentary Grant, and he could not but think it most desirable that a Minister of Education should have charge of them. As to the alleged deficiencies in the provision made for the education of children, his own experience was that there were large tracts of country that were represented as entirely void of education because they did not contain inspected schools; yet those districts were by no means badly off, and he knew some parishes in which for years every boy and girl of 14 years of age could read well and write and cipher tolerably. Many parishes which had been held up to obloquy as being utterly destitute of education showed by the test of signatures to the register of marriages a very much higher state of education than many town and manufacturing districts which had been in receipt of large sums from the Treasury, and in which expensive schools had been erected with the public money. He, however, agreed that there were great deficiencies in the means of education, which were much to be deplored, and the Government deserved much credit for their boldness in bringing forward this measure, and for their perseverance and tact in carrying it through the other House. He regretted that the school Boards established by the Bill were to be wholly elected, for his experience as a Poor Law Guardian led him to the belief that there were in most districts gentlemen who were most suitable to be on school Boards, yet who could not command a large number of votes at a popular election; and he suggested that of the mem-

[*Second Reading.*]

bers of each school Board a proportion not exceeding one-third might be appointed by the Education Department, through their Inspector. It was, he thought, inexpedient to authorize a Board to remit the whole of the school fees in any instance, for he believed that the payments made by the wage-earning class for the education of their children were unnecessarily and unreasonably low; besides which, if gratuitous education were given to children in any rate-supported schools the voluntary ones would be placed at a disadvantage. The noble Duke opposite (the Duke of Richmond) had spoken against the introduction of the Ballot into an Educational Bill. He (Earl Fortescue) had always felt that the Ballot was an insignificant question, and when he had represented large constituencies he had sometimes offended them by declaring that it would do a little harm and no good. His opinion was now somewhat modified, and he thought the Ballot would do a little good and no harm. The system of election, however, under the Local Management Act of 1855 was most undesirable. By it the many were brought to the few, instead of the few to the many. The same secrecy could be secured by a house-to-house collection as by asking electors to go to the poll clerk; and voting for vestrymen in the metropolis was practically found to be a prohibitory duty, on account of the trouble and waste of time it involved.

**THE DUKE OF RUTLAND:** The right hon. Gentleman who has received, and most worthily, the commendation of the House for the Bill he introduced and the manner in which he has carried it through the other House of Parliament, said, in his speech on the third reading, that he hoped the Bill would receive here the same careful attention it had received in the House of Commons. When I read that I almost thought the hope had been expressed ironically, for if we were to enter on the consideration of the Bill with the same care as it had received "elsewhere" I want to know when the Parliament would be adjourned? I believe this Bill was introduced into the other House at the beginning of March, and it did not pass till towards the end of July. I hope we shall finish the consideration of it before the end of September—and I only

regret that a measure of such vast importance should have been sent up at so late a period of the Session, when we cannot give it adequate consideration. I agree entirely with what has been said by my noble Friend the noble Duke (the Duke of Marlborough) as to the absence of the mention of religion from the Bill except in a restrictive sense; and as to the compulsory attendance of children, I believe it to be against the spirit, the wishes, and the feelings of the people of this country. There is an old proverb that one man may lead a horse to the water, but that many cannot make him drink; and I am convinced that it is quite ineffectual to try to force education on the people. My first objection is, that you should not force a Dissenter to send his child to a school where the teaching may be contrary to his conscientious objections; my second, and certainly not less strong objection is that a Churchman should not be forced to send his child to a school where a religion may be taught of which he disapproves, still more to a purely secular school, where no religion is taught at all.

**EARL DE GREY AND RIPON,** in reply, said, he should abstain from following in detail objections which he should endeavour to answer in Committee. He had to thank their Lordships on both sides of the House for the very fair manner in which the Bill had been received and for the large and general amount of support given to it. From its reception this evening he trusted he might augur that the Bill would be discussed—not, he hoped, at the same length as in the other House—but in the same fair spirit, the same absence of party considerations, and the same desire to make the measure effectual for the end in view. The noble Duke opposite (the Duke of Richmond), alluding to the declaration of the Premier that the right principle to adopt was the freedom of teaching and the freedom of withdrawal, said he regretted that this principle was not carried out in the Conscience Clause as it now stood. At the proper time, however, he should be able to show that the present clause gave more complete freedom of teaching than as the clause originally stood; for now a child could only be withdrawn from the teaching of religious subjects, instead of from any portion of teaching



whatever. His noble Friend opposite (the Duke of Richmond) was of opinion that the Bill conferred too large a power on the Education Department. While he admitted that the power which it gave was large, he did not think it was more so than was absolutely necessary to effect the object which they all had in view. As to the Ballot, he could only say that he believed it furnished the most advantageous mode of taking votes for a variety of purposes. The last thing, at all events, which he, as a member of the Education Department, would do would be to seek to make an *experimentum in corpore vili*, by applying it to education, did he not suppose it would be found to work satisfactorily. He had simply to say, in conclusion, that he proposed to fix the Committee for Friday next.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Friday next.

#### JUDICIAL COMMITTEE BILL—(No. 224.)

(The Lord Chancellor.)

THIRD READING.

Order of the Day for the Third Reading, read.

LORD ROMILLY desired to take this occasion to insist on the necessity of appointing the best Judges whose services could be secured. There were three modes, he said, of obtaining Judges. The person of the greatest experience and eminence in his profession might be selected, and in that case he must be paid the price necessary for what he regarded as his adequate remuneration, and to induce him to relinquish his profession. Another mode was to get the cheapest man; and a man of that kind might be got at a very low rate: but if such a man were selected he ought to undergo what was imposed on persons appointed for the first time to offices in the Civil Service—that was, he ought to be subjected to a severe examination to show that he was at all fit for the discharge of his duties. Again, as a third mode, a person might be selected to fill the office of Judge who was of long standing, and was believed by his friends to be a man of learning and capacity, but a person who had failed in his profession. Now the very worst Judges would be those who were selected from

that class, for they were persons generally who did not possess the tact required for the application of their knowledge, a quality indispensable for the constitution of a good Judge. The question was one of paramount importance, for if, for any reason, Judges were appointed who were incapable of properly discharging their duties, great injustice would be done to the suitors, and great scandal cast on the administration of justice. He observed that a proposal had been brought under the notice of the other House for increasing the pay of Her Majesty's Ministers, and he, for one, did not think any of them overpaid; but there was no doubt that, if their places were put up to auction, persons would be found to undertake their duties for much smaller salaries. Then, however, would arise the ulterior question whether persons so elected would be fit to discharge those duties. The moment an attempt was made to get a superior class of men at a cheaper rate than they were worth, most certainly only an inferior article would be obtained, and the result would be in every way injurious to the country. He, for one, was opposed to anything like parsimony and niggardliness under such circumstances. And so with regard to the Judges—a specious parsimony would inflict a serious blow on the administration of justice. It was of the greatest importance not only that we should get the best Judges, but also that the public should believe that we had got the best Judges we could, and this could only be accomplished by selecting men who had previously gained the confidence of the public by showing that they had previously gained the confidence of their clients, and had occupied a considerable position in the legal profession. A standing of so many years merely would not be a proper qualification. Indeed, it would be better to insist upon a money qualification, and say that no man should be appointed a Judge who had not made £3,000 or £4,000 a year by his profession. In conclusion, he appealed to his noble and learned Friend on the Woolsack to make this Bill an experimental one, and confine its operation to two or three years, at the expiration of which period we should see what results it had brought about.

THE LORD CHANCELLOR repelled the accusation that he was endeavouring

to get money out of the appointment of Judges. He proceeded to point out that there were often circumstances connected with an Office which rendered it a desirable one apart from the mere question of salary. It had been an almost invariable custom that a Judge, after 15 years' service, should become an *ex officio* Member of the Judicial Committee, and the object of the Bill was to give to such Judges £500 a year in addition to their present salary. The general objections raised by the noble and learned Lord he would not enter into, because they were not applicable to the Bill; for the very class to which the selection was restricted was a sufficient guarantee that none but the most competent Judges would be appointed.

Bill read 3<sup>d</sup>.

LORD CAIRNS moved to insert the following clause at the end of the Bill:—

"This Act shall continue in force until the first day in January one thousand eight hundred and seventy-three, and shall then cease and determine, subject and without prejudice to any appointment made or salary granted thereunder previous to that date."

On Question? Their Lordships divided:—Contents 16; Not-Contents 27: Majority 11.

*Resolved in the Negative.*

Bill passed, and sent to the Commons.

House adjourned at a quarter past  
Eleven o'clock, 'till To-morrow,  
Three o'clock.

## HOUSE OF COMMONS,

*Monday, 25th July, 1870.*

MINUTES.—SELECT COMMITTEE—*Report*—  
Diplomatic and Consular Services [No. 382];  
Conventual and Monastic Institutions, &c.  
[No. 383].

SUPPLY—considered in Committee—CIVIL SERVICE ESTIMATES.

*Resolutions* [July 21, 22] reported.

PUBLIC BILLS—Ordered—*First Reading*—Petty Sessions Clerks (Ireland) Act (1858) Amendment \* [236]; Census (Ireland) \* [237].

*Second Reading*—Census (Scotland) \* [234]; Siam and Straits Settlements Jurisdiction \* [232]; Corrupt Practices Acts Amendment \* [235].

Select Committee—Shannon Navigation \* [192], nominated.

*The Lord Chancellor*

Committee—*Report*—Turnpike Acts Continuance, &c. \* [125]; National Debt \* [213]; Forgery \* [214]; Statute Law Revision \* [215]; Local Government Supplemental (No. 4) \* [226].

Considered as amended—Sanitary Act (1866) Amendment \* [189].

*Third Reading*—Greenwich Hospital \* [229], and passed.

*Withdrawn*—High Court of Justice \* [180]; Appellate Jurisdiction \* [181]; Pilotage (*re-comm.*) \* [207]; Medical Act (1858) Amendment \* [216]; Habitual Drunkards \* [197]; Charities, &c. Exemption \* [109]; Sequestration \* [202]; Ecclesiastical Dilapidations (No. 2) \* [224].

## ARMY—SUPPLY OF AMMUNITION.

### QUESTION.

MR. PERCY WYNDHAM said, he would beg to ask the Secretary of State for War, Whether the amount of ammunition of all kinds now in stock was up to or below the average quantity maintained in past years; and, whether the Government had means at their disposal for increasing the supply at short notice if necessary?

MR. CARDWELL: Sir, in view of the deterioration of cartridges by time, and of occasional changes of pattern, it has not been considered desirable or advisable to keep the stocks very high; but the Government have means at their disposal of increasing the supply at short notice. In a few days we could make all the small-arm ammunition, and in a few weeks all the projectiles of every kind that were discharged at Sebastopol.

## POOR LAW BOARD—OFFICERS' GUARANTEES.—QUESTION.

MR. BRODRICK said, he wished to ask the President of the Poor Law Board, Whether the European Assurance Society is the only Company whose security can be accepted by guardians on behalf of their officers, under the regulations of the Poor Law Board; and, whether under all the circumstances, it is still their intention to compel guardians to accept such security?

MR. GOSCHEN said, in reply, that the Poor Law Board did not compel guardians to accept the security of any particular assurance company. The general order required the officers to give a bond with two sureties, and if they preferred to give the security of any company whose statutes expressly authorized them to guarantee the faithful discharge of duties, they were at liberty



to do so. It happened that the European Assurance Society was the only company of the kind whose statutes expressly authorized them to give such security, and their Act of Parliament stipulated that they were to keep a certain reserve fund, under the control of the Lords of the Treasury, to meet any claims on the part of the Government or local authorities, which fund was not available for any other creditors. The Board would gladly extend their sanction to any other company which would take upon itself similar obligations.

#### ARMY—COMMITTEE ON SMALL ARMS— MARTINI-HENRY RIFLE.—QUESTION.

MR. O'REILLY said, his Question required some explanation. It was said that the Committee now sitting on Small Arms did not confine themselves to the rifles furnished by the manufacturers, but that they produced improved arms of their own. He would, therefore, beg to ask the Secretary of State for War, Whether the Committee on Small Arms have made experimental changes in the Henry-Martini rifle, and had these changes carried out in the Government factory at Enfield; and how many improved forms of the rifle they have so had made?

MR. CARDWELL, in reply, said, it was true the Committee did not limit themselves to testing the rifles that were submitted to them, but that they tried experiments of their own, chiefly in relation to improvements in the chamber and the springs: 24 rifles had recently been issued for this purpose, all of one form.

#### NAVY—ADMIRAL SIR WILLIAM HOPE JOHNSTONE.—QUESTION.

SIR GRAHAM MONTGOMERY said, he would beg to ask the First Lord of the Admiralty, Whether his attention has been called to the letter published by Admiral Sir William Hope Johnstone concerning a conversation between the First Lord of the Admiralty and himself at the interview which took place between them at the Admiralty in reference to Sir William Hope Johnstone's retirement; and, whether he adheres to the version of his speech, which represents him as having said that Sir William Hope Johnstone stated at the said interview—"You have done me justice;

you have retired me at the full value of the office; I have nothing to complain of, but I cease to hold the nominal office of Rear Admiral of England?"

MR. CHILDERS: Sir, some two months since, the hon. and gallant Member for Stamford (Sir John Hay), without any Notice on the Paper or private intimation to me, called the attention of the House in a somewhat long speech to language supposed by him to have been used by me two months before in conversation with a very gallant officer, Admiral Sir William Hope Johnstone, who had been recently retired in his 72nd year. In reply I said that his description of the conversation was far from accurate, and I pointed out the absurdity of the language he attributed to me. I added that, to the best of my recollection, the gallant Admiral had said that he had no complaint to make as to his treatment in a pecuniary point of view, but that he was anxious to retain the titular office of Rear Admiral of the United Kingdom, to which he had been recently appointed; and I explained in general terms the reasons which I had assigned why this was impossible. The hon. Baronet (Sir Graham Montgomery) now asks me whether on this occasion I used the *ipsissima verba* of one of the newspaper reports. My only answer is, that I spoke in the sense of that report, which as usual is accurate and careful; but that it is quite out of my power to pledge myself to the exact words of a long reply to a long question about a conversation four months ago, which I was not aware was to be the subject of debate.

#### CASE OF GEORGE MAW.—QUESTION.

MR. GOURLEY said, he would beg to ask the Secretary of State for the Home Department Whether, in the case of Mr. George Maw, who, while undergoing a sentence of fourteen days' imprisonment in the Durham County Gaol, received twenty-four lashes of the cat-o'-nine-tails by order of the Reverend Canon Greenwell, and into whose case he recently made some inquiry, Messrs. Bowser and Ward, the Solicitors acting for a Committee appointed by a public meeting of upwards of five hundred inhabitants of Bishop Auckland, did not inform him that they had evidence to show that Mr. Maw was labouring under an attack of delirium

tremens during a part of the time of his incarceration, and was discharged from prison in a most deplorable condition both in mind and body; and, whether the evidence, the existence of which was thus brought to the Home Secretary's knowledge, had not been disregarded, and the inquiry confined to the gaol officials?

MR. BRUCE: Sir, I had received and considered the memorial sent to me by Messrs. Bowser and Ward before answering the Question relating to the punishment of George Maw, put to me some weeks ago by the hon. Member for South Durham (Mr. Pease). The answer of the visiting justices and the evidence with which they supplied me satisfied me that there were no sufficient grounds for further inquiry by the Home Office into the circumstances of his punishment. The facts are these—In the absence of the visiting justices, Mr. Canon Greenwell was called in as a magistrate to adjudicate on an assault committed by Maw upon a warder on the 28th of April. The assault was a most violent and brutal one. Without any provocation, Maw, in the words of a witness, "struck the warder violently in the face with his clinched fist, kicked him on the body, seized him by the hair of his head, pulled him on the ground, and kicked him when on the ground. He then struck the witness with great violence and cut his lip and ear." The assault is not denied; but it is stated that the prisoner committed it under the influence of *delirium tremens*. Into that statement I also inquired. It appears from the statement of Mr. Boyd, the surgeon of the Durham County Prison, that he saw him on every day from the 20th of April to the 28th, the day of the assault, and that "on neither of the said days, nor at any time during his incarceration, did he exhibit any symptoms whatever of being afflicted by any mental or bodily disease;" that he carefully examined him on the 29th, the day he was flogged, and he found "that he was perfectly free from *delirium tremens*, or any other mental or bodily disorder, and was in a fit state to undergo corporal punishment to the extent of 24 lashes." Mr. Boyd was present when the sentence was carried into execution, and says that there were "no symptoms exhibited to show that there was any danger in carrying it out." I also received evi-

Mr. Gourley

dence which proved to me that there was no necessity to resort to *delirium tremens* as an explanation of the unprovoked violence of the prisoner, for he was represented to me as a man known for the outrageous violence of his temper; and, in confirmation of this statement, I received proof of his convictions at various places on no less than six different occasions between 1862 and 1870 for assaults, besides being convicted on several other occasions for being drunk and disorderly, for obstructing an Inspector of Nuisances in the execution of his duty, and for wilful damage to property. Taking all these circumstances together, I certainly did not and do not think that I should have been justified in directing further inquiry into the case.

#### CHINA — OUTRAGES ON CHRISTIANS. QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it has come to the knowledge of the Foreign Office, officially or otherwise, that the Chinese have perpetrated outrages on Christians in China, attended with the loss of life?

MR. OTWAY said, he regretted to say that it had come to the knowledge of the Foreign Office, both officially and otherwise, that outrages, attended with loss of life, had been perpetrated by Chinese. By a telegram received from Sir Andrew Buchanan at St. Petersburg, which was dated Tien-tsin, July 6, and which arrived at the Foreign Office on July 23, it appeared that there had been an insurrectionary movement in Tien-tsin against the French missionaries, that 48 French persons were killed and three Russians, and that the French Consulate was burnt. The Lieutenant Governor of Hong Kong telegraphed by another route, stating that serious disturbances had arisen at Tien-tsin, that the French Consulate was burnt, and French missionaries were attacked and murdered, in consequence of a rumour that children had been put to death by the French missionaries. Great excitement prevailed in Shanghai and the Northern ports, and a gunboat had gone with 600 troops ready to be disembarked in case of necessity.

COLONEL SYKES: Is there no Report from our Minister at Pekin?



MR. OTWAY: Not from Pekin; the massacre took place at Tien-tsin.

#### ARMY—BREECH-LOADERS FOR THE VOLUNTEERS.—QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether any, and, if any, how many Militia Regiments in Great Britain are still unsupplied with the Snider Enfield Rifle; whether in his opinion the time has not arrived when energetic steps should be taken to supply the whole of the Militia and, after them, the Volunteers, with breech-loading rifles; and, further, whether it is or is not a fact that 60,000 rifles have been lying useless at the Tower since February last, when a question upon this subject was asked by the noble Lord the Member for Haddingtonshire?

MR. CARDWELL: Sir, 51 regiments of Militia are still unsupplied with breech-loaders: 61,000 breech-loaders have been issued to the Reserve Forces—Sniders and Westley Richards carbines—arming 64 regiments of Militia, and 25 of Yeomanry, and all the permanent staff of the Militia, including Ireland. I am of opinion that it is expedient to arm the rest of the Militia, and after them the Volunteers, as rapidly as our stock will enable us; but I do not share the opinion that a reserve is useless of an article which you desire to have ready for use upon occasion.

#### NAVY—OFFICERS OF THE ADMIRALTY.

##### QUESTION.

SIR JOHN HAY said, he would beg to ask the First Lord of the Admiralty, For a Return of the Names and Salaries of Officers appointed to do duty at the Admiralty, and which were not provided for in this year's Estimates? It had been stated in the papers that Captain Willes had been appointed to do duty as Captain of the Coastguard; and that a Paymaster had been appointed in the place of one of the clerks of the Admiralty.

MR. CHILDERS: Sir, when the hon. and gallant Gentleman placed his Notice on the Paper I referred it to the Accountant General, whose reply, which I hold in my hand, is that no officers have been so appointed. Rear-Admiral Seymour is discharging Commodore Willes's

duties for a month, while the latter is with the First Reserve squadron, and a Paymaster is being employed for two months at the Admiralty to assist in connection with Court-martial and Punishment Returns.

SIR JOHN HAY said, he would beg to ask for a Return of the salaries of those officers?

MR. CHILDERS: The officers are not appointed on salaries at all. They have merely been called up on sea-pay for a few weeks to the Admiralty.

#### HIGH COURT OF JUSTICE AND APPELLATE JURISDICTION BILLS.

##### QUESTION.

MR. G. B. GREGORY said, he would beg to ask Mr. Attorney General, Whether it is intended to proceed with the High Court of Justice and Appellate Jurisdiction Bills in the present Session of Parliament?

MR. GLADSTONE: I am sorry to say we have been obliged to abandon the hope of being able to proceed with these Bills; but we propose to call the attention of Parliament to the subject early next Session.

#### THE EDUCATION DEPARTMENT.

##### QUESTION.

MR. SAMUELSON said, he would beg to ask the First Lord of the Treasury, Whether, in consideration of the increasingly onerous duties of the Minister responsible to this House for the Department of Education, the Government will consider the expediency of his being relieved from departmental functions other than those relating to Education?

MR. GLADSTONE: Sir, taking into consideration the increase of duties which must devolve on the Education Department, in connection with the great measure which we hope is about to receive the sanction of the Legislature, no doubt some change will be necessary; but as it will obviously not be in our power accurately to estimate that increase till a somewhat later period, it would be perhaps premature if I said more than that the Government are anxious to ascertain what change may be necessary.

## SCHOOLS IN SCOTLAND.—QUESTION.

SIR EDWARD COLEBROOKE said, he wished to ask the Vice President of the Committee of Council on Education, Whether the Government will take steps, during the Parliamentary Recess, to procure full information regarding the amount and quality of the education furnished in the existing schools of Scotland, in anticipation of legislation on the parochial and other schools in Scotland during the next Session of Parliament?

MR. W. E. FORSTER said, in reply, that the Government would, during the Recess, consider whether it would be advisable to obtain further information on the subject than that which they already possessed, in anticipation of the Scotch Education Bill to be introduced next year. They had considered whether it would be desirable to ask Parliament to assent to a short Bill giving power to obtain Returns similar to those which they had obtained relative to the English Bill. But, looking to the fact that they already possessed a good deal of information with regard to Scotland, and also that it would be difficult to frame a Bill that would not prejudice the Scotch Education Bill, they had decided not to apply for any legislative power during the present Session.

## SPAIN—INSURRECTION IN CUBA.

## QUESTION.

MR. M'LAREN said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether, in accordance with the Resolution of the American House of Representatives, on the 16th of June, authorizing the President to solicit the co-operation of other Governments in order to put a stop to the barbarities in Cuba, any communications have yet taken place between Her Majesty's Government and that of the United States, with a view to effect that object?

MR. OTWAY said, in reply, that they were informed that a Resolution had been passed by the House of Representatives of the United States of the nature described by his hon. Friend; but no communication had been addressed by the Government of the United States to Her Majesty's Government in consequence of that Resolution up to the present time.

## INFECTIOUS DISEASE ON BOARD VESSELS.—QUESTION.

MR. EDWARDS said, he wished to ask the Vice President of the Council, Whether the Privy Council do not very much rely upon the information supplied by Pilots for the detection of infectious disease on board of vessels arriving from infected ports, and whether the abolition of compulsory pilotage would not have a tendency to remove one of the best securities for the enforcement of the Quarantine Laws, inasmuch as under an optional system of Pilotage, masters would not, by declining to take Pilots, hope to conceal the fact of infected cases?

MR. W. E. FORSTER, in reply, said, he had found on inquiry that the Privy Council did not rely upon the information given by pilots, because they were not bound by any statutory regulations to furnish it; but he did not doubt that in some cases they obtained such information. With regard to the latter part of the Question of the hon. Member, the proper time for him to give an answer would be when the Bill referred to was under discussion.

## UNIVERSITY TESTS BILL.—QUESTION.

MR. SARTORIS said, he would beg to ask the First Lord of the Treasury, Whether he will be prepared to introduce a comprehensive University Tests Bill in the early part of next Session, so as to afford the Upper House enough time for deliberation?

MR. GLADSTONE: I am afraid, Sir, my hon. Friend has framed his Question in such a manner as to imply that we have not afforded the Upper House sufficient time for deliberation on the present University Tests Bill. Now, I am not prepared to make that admission. The Bill which has gone to the House of Lords, so far as I am aware, is not definitively disposed of; and until it has been definitively disposed of, I think it will be better not to state anything on the part of the Government, being unwilling to abandon the hope that the Bill may still be destined to pass during the present Session.

WAR BETWEEN FRANCE AND PRUSSIA.  
—BLOCKADE OF BALTIC PORTS.

## QUESTION.

MR. LOCH said, he wished to ask the Under Secretary of State for Foreign



Affairs, Whether, by virtue of the understanding come to among the Powers at Paris in 1856, on the conclusion of the War with Russia, cargoes of herrings or other British produce, not being munitions of war, proceeding in German vessels to Stettin or any other German or Prussian Port, will be secure against capture and confiscation; and, whether it is in his power to give any information as to the probability or otherwise of the establishment by the French of a blockade of German Ports in the Baltic, by which all traffic, whether conducted in English or in Foreign bottoms would be prevented?

MR. OTWAY said, in reply, that in order to avoid any mistake in a matter of so much importance, he would beg to refer his hon. Friend to the declaration already made on this subject, and to assure him that Her Majesty's Government will immediately publish any further information that they may receive in this matter. Although an enemy's ship was liable to capture, the cargo on board was not liable to confiscation; but the burden of proof would be on the owner of the cargo to show its innocence. With regard to the latter part of the Question, it was quite out of his power to give any information of that character, and he should think it very improbable that the Government of a belligerent Power would give the information his hon. Friend seemed to desire.

#### FRENCH SHIPS OF WAR IN THE GAMBIA.

##### QUESTION.

SIR JOHN HAY said, he wished to ask the Under Secretary of State for the Colonies, Whether in accordance with the Proclamation of Neutrality, the French ships of War have been requested to withdraw from the Gambia, or whether the advantages of that naval station are to be available for the naval forces of the belligerent Powers?

MR. MONSELL said, in reply, that he had received no information which led him to believe that there were any French men-of-war in the Gambia, but the instructions given to the Governors of all our Colonies desired them to prohibit all ships-of-war of either belligerent Power from making use of any port, or roadstead, or water in any of Her Majesty's Colonies or Foreign Possessions, and further authorized them to prevent any men-of-war of a belligerent Power

from entering any port, roadstead, or water belonging to Her Majesty, either in the United Kingdom or Her Majesty's Colonies or Foreign Possessions. There was a French ship which went up the Gambia some few weeks ago, but he believed it was to assist some British subjects.

#### THE ECCLESIASTICAL BILLS.

##### QUESTION.

SIR GEORGE GREY said, he would beg to ask the Secretary of State for the Home Department, What course the Government intend to pursue with respect to the Union of Benefices Bill, the Sequestration of Benefices Bill, and the other Ecclesiastical Bills which have come down from the House of Lords?

MR. BRUCE said, in reply, that there were four Bills on ecclesiastical subjects, none of which were promoted by the Government, but all of which dealt with questions of considerable importance and required careful consideration—namely, the Resignation of Benefices Bill, the Union of Benefices Bill, the Sequestration Bill, and the Ecclesiastical Dilapidations Bill. The first three of these could not be advantageously discussed at this period of the Session, and although it had been suggested that portions of these measures might be dropped, and the remainder proceeded with, he did not think such a mode of dealing with them would be satisfactory. The Ecclesiastical Dilapidations Bill, although lengthy, raised no question of controversy; and if his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), who had charge of it, were present, he would ask him to state what course he intended to pursue.

#### PARLIAMENT—BUSINESS OF THE HOUSE.

MR. GLADSTONE: I have, Sir, to make the Motion which, I believe, is usual at this period of the Session—

“That To-morrow, and every succeeding Tuesday during the present Session, Orders of the Day have precedence of Notices of Motions, Government Orders of the Day having the priority.”

MR. DISRAELI: Sir, I should be very sorry to appear for a moment to resist any Motion which, at this period of the Session, is not unusual. But we must remember that the Session is terminating under very critical circum-

stances, and that the effect of this Motion will be to give a monopoly—one which I do not grudge under ordinary circumstances—to the Government in the disposal of the time of the House. And as we have not yet received the important public Papers respecting the breaking of the peace of Europe which we had a right to expect, I think there ought to be an understanding as to the terms on which this Motion is assented to. If there should be a desire to express the opinion of Parliament with regard to those Papers when presented, or even to bring those Papers under the consideration of Parliament, I think the right hon. Gentleman, who asks us to give up our Tuesday mornings to the Government, should take care that the necessary opportunities are afforded for such a discussion.

MR. GLADSTONE: Private Members, Sir, will still have Wednesdays and Friday evenings, on going into Committee of Supply. But I entirely agree in the justice of the demand made by the right hon. Gentleman, that if a desire exists—there may be such a desire, or there may not—to discuss the subjects contained in the Papers, which, I hope, will be in the hands of Members this evening, that desire should have an opportunity afforded for its gratification.

*Resolved*, That To-morrow, and every succeeding Tuesday during the present Session, Orders of the Day have precedence of Notices of Motions, Government Orders of the Day having the priority.—(*Mr. Gladstone.*)

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY.—QUESTION.

MR. DISRAELI: Sir, I thought it convenient, under circumstances which it is unnecessary for me to dwell upon, not to confine myself strictly to the limits of a Parliamentary Question in the matter which I wish to bring before the House. It is possible that the document to which I shall have to call attention may be contained in the Papers which are to be laid upon the Table, and may be accompanied with explanations. If the Papers about to be distributed among hon. Members contain that docu-

ment and a satisfactory explanation, my observations will be useless; but I am bound to say that if those Papers do not contain that document and a satisfactory explanation, they, perhaps, may merit the same epithet. I must say I regret very much that these Papers are not in our possession. No one feels justified, under ordinary circumstances, in hurrying a Government in the production of diplomatic documents; but—speaking, of course, with that want of knowledge which all but those in Office must be influenced by—I cannot understand that the awful events that have occurred, or are about to occur, in Europe, were preceded by any voluminous correspondence on the part of our Government with the belligerents, or with any other Powers. If not an official, we have a public declaration by the Minister most concerned in such matters—the Secretary of State for Foreign Affairs—that about the time when this startling intelligence alarmed Europe—he having then just accepted the seals and being about to assume the duties of Secretary for Foreign Affairs—he was informed by the highest authority that the diplomatic atmosphere was never so serene, and that he had the advantage of acceding to Office under circumstances which would probably occasion him less anxiety than ever fell to the lot of a Minister of State. And, therefore, though one may be mistaken, it seems a natural inference that the correspondence which is to be laid on the Table is not of a very voluminous character. Then why has it not been produced? Weeks have elapsed—at least I believe this is the third week since the announcement of the present state of Europe was officially made. The Government were asked immediately for Papers. And I must say for myself that I was surprised that so great a delay occurred in their presentation. It appears to me that it would have been natural, and even agreeable to the feelings of any Ministry, in the position in which the right hon. Gentleman and his Colleagues found themselves, to have lost not a moment in placing before Parliament the information, scanty but sincere, which it was in their power to give to us. However, the Papers, after a delay which is unaccountable under the circumstances as they occur to us, were presented and laid on the Table on Friday last, and I certainly was under the im-

*Mr. Disraeli*



pression that on Saturday morning they would be in the hands of every hon. Gentleman. So far as I know, that has been the custom with Papers presented by the Foreign Office. They are generally, if not universally, printed, I believe, at the private press of that office, before they are presented; and accordingly there is nothing to prevent their being in the hands of Members on the following morning. I do not know whether any change has arisen in the administration of the Foreign Office with regard to matters of this kind, or whether the delay is attributable to motives of economy; but, if so, the House is, I think, entitled to information on the point. But even if we had to appeal to the resources of the private presses of the country, I am at a loss to conceive what could occasion this extraordinary delay. The Papers presented on Friday were naturally expected by Members of the House to be in their hands on Saturday, but this is now Monday, and no Papers are in our hands. It appears to me that, considering the awful issues that are at stake, some explanation should be offered by the Government with respect to this delay. That being the case, I have to address the House with the difficulty which must attend one who has no public documents to which he can refer. I have stated sincerely, and I think I have shown to the House, when questions of this importance have been before under consideration, that nothing would induce me to take any step which would have for its principal object to embarrass the Government. But, although we are not desirous of embarrassing the Government, but would rather scrupulously avoid doing anything that would have that effect, we must recollect that there is a duty to perform to Parliament and the country. When the peace of Europe is broken, I think it is not unusual to expect that the Parliament of this country in due time, and as soon as possible, should learn the cause, and, at all events, if that is an expectation which we are justified in indulging, it has peculiar force when the Session is about to terminate, and when Members are about to disperse, when, under no circumstances, can our Sitting be much prolonged, and when, under ordinary circumstances, we cannot be re-assembled for a considerable period of time. It seems to me

somewhat absurd that the peace of Europe should be broken on a scale so vast, and in a manner so threatening as the present, and that Parliament should really have no conception of the causes of such an event, and that Members, on going to their constituents, should, when asked any questions—as they always are in the autumn—be perfectly unacquainted with what has occurred, and be therefore unable to satisfy their justifiable political curiosity. And, Sir, it is the more desirable we should have some clear conception of the present state of affairs, because there are no want of alleged causes, and no want of statements made, and by persons of authority, but unfortunately they are all of a contradictory character. It is not for me for a moment to impugn the declaration made by a Minister of State in any country, or by individuals superior in station even to Ministers of State. I take it for granted that such persons are gentlemen influenced by a high spirit of honour, and actuated by a due sense of the grave responsibility that attends all their words and all their acts. I attribute the discordant statements that are made to the rapid and imperfect mode of communication which is the characteristic of the scientific age in which we live. But it is not a state of affairs that an English Parliament can find very satisfactory, to depend only upon broken telegrams of public declarations made by persons, however great or however distinguished may be their position. What we want are documents. And now, Sir, a document to-day has appeared, and respecting that document I wish to make inquiries of the right hon. Gentleman. That document appears in the form of a projected Treaty between Prussia and France. It involves considerable modifications of the present arrangements of Europe, and among other provisions it contemplates the military occupation, and finally the conquest, of the kingdom of Belgium by the Emperor of the French. Now, I do not know what may be the date of this projected Treaty, but it refers to a state of affairs which proves that the date cannot be a very remote one. I should like to know when this project was first proposed; and, if that was at some interval from the present day, whether it has come to the knowledge of Her Majesty's Government

that it has been renewed? I need not touch upon the importance of accurate knowledge upon this subject to the Parliament of this country. I do not want to-night, indeed I entirely wish to avoid entering into, any discussion as to the merits of either of the belligerents in the war which may now, I am sorry to say, be described as having commenced. If the House thinks it its duty to come to some opinion upon it, I am sure it will not shrink from the fulfilment of that duty; but I am equally sure that it will not attempt to exercise its privilege of so doing without being in possession of the best information it can obtain, and without giving to it mature consideration and thought. And I may be permitted to say, without at all advertising to the causes, the merits, or even the possible consequences, of the present struggle, that I think the policy which is indicated in this project of Treaty is one which this country has never approved and never can approve. I must say that I should look upon the extinction of the kingdom of Belgium as a calamity to Europe and an injury to this country, and I therefore trust that such an attempt will not be made; nor can I forget that, if such an attempt is made, the engagements into which the Sovereign of this country has entered with respect to that kingdom will demand the gravest consideration not only of the Government, but of the House and the country. I will now take the liberty of making the inquiry of which I have given Notice to the right hon. Gentleman. I wish to know whether Her Majesty's Government can throw any light upon that project of Treaty which has been published this morning; whether they are in possession of information which may enable them to inform Parliament whether it indicates a policy which, in their opinion, may still influence the belligerents, or either of them; and whether they will give to the House such information as is in their power with respect to a subject which, I think I may venture to say, has occasioned great disquietude in the public mind?

MR. GLADSTONE: I will first refer, Sir, to what has been said by the right hon. Gentleman with regard to the anxiety of the House—and a very natural anxiety, to be in possession of the Papers which may, more or less, serve to illustrate the origin of the present unhappy

war. Of course, I need hardly remind the House that the simple fact of the outbreak of a great war in Europe does not by itself imply that it should be—should necessarily be, in the power of a Government, however much they may desire it, to obtain for themselves, or to place in the possession of the House of Commons, full information upon the subject. That must depend upon the degree in which they themselves have been made parties to any transactions connected with the outbreak of the war. So far as we were made parties to any of those transactions, we have the means and the disposition to afford every information, and I join the right hon. Gentleman in regretting that the Papers are not yet in the hands of Members. But I think he will find, when they are in his hands, that they contain information coming down actually to the day before, if not to the very day, when they were laid upon the Table of the House. Possibly, the right hon. Gentleman may think that the earlier part of the communications which preceded the final rupture might have been separated from those of later days; but I mentioned upon a former occasion that every effort was made on the part of the Government before presenting these Papers; but the rapidity of the whole transaction was extreme, and it was absolutely necessary, in conformity with usage and obvious motives of policy, that we should give opportunities of communication with our chief representatives abroad, a process which necessarily occupied some time. That is all I can say, and I can only express a hope that when the Papers are laid upon the Table of the House the right hon. Gentleman will see that they contain sufficient to support the statement I have ventured to make—that there has been no voluntary or needless delay on the part of the Government. Now, with regard to the document to which the right hon. Gentleman has more particularly referred, I regret to say that it is not in my power to give the House any information in reply to the detailed Questions of the right hon. Gentleman. I will make to him such answer as, in the opinion of Her Majesty's Government, can properly be made under the circumstances. We, Sir, like others, have read the document to which the right hon. Gentleman refers, a document which deals with a sub-

*Mr. Disraeli*



ject-matter of the deepest interest to us, and a subject the gravity of which the right hon. Gentleman has not in his remarks in the slightest degree overstated. That document, Sir, is of a nature to excite attention, and even astonishment. I can give no information to the right hon. Gentleman or to the House as to the mode in which it has come to be communicated to the world through *The Times* newspaper. From its character it may be deemed incredible, but it purports to be a proposal which has reached a certain stage of promise. Upon the actual contents of that document it is not at the present moment within the limits of my duty to offer any opinion. But I would venture to point out to the right hon. Gentleman what I think admits of no doubt whatever. We consider that the publication of such a Paper as this professed project of Treaty between France and Prussia, and for the objects set forth in it, must immediately draw forth from the spontaneous action of the two Governments concerned all the declarations that can be necessary for the fullest elucidation of the subject. They are not in our possession; but we have not a doubt that the next few days must place them at the command of the world. This is a very grave matter, and, therefore, I think I am not at liberty to enter upon it, and that no one can discuss it with any advantage after the present statement. The time must be close at hand when the surprise which generally must have been felt this morning will be cleared up, and cleared up effectually, by full information; and that being so, I think I shall best perform my duty by confining myself at this moment to these brief remarks, fully admitting that when the information shall be given the right hon. Gentleman and any other Member of this House will be perfectly in their right in addressing any questions they think fit to Her Majesty's Government.

#### OFFICE OF LORD PRIVY SEAL.

##### RESOLUTION.

SIR CHARLES W. DILKE said, he rose to move a Resolution as to the expediency of abolishing the sinecure Office of Lord Privy Seal. So long ago as the year 1831 Lord Durham, in giving evidence before a Parliamentary Committee on Public Salaries, recommended the suppression of that Office, or rather its

amalgamation with the Office of Keeper of Signets, with so small a salary for the two combined Offices as would practically amount to the abolition of the Office of Privy Seal. In 1850 another Parliamentary Committee, one of great weight, reported in favour of the abolition of the Office and the transference of its duties to other Departments of the State. That Resolution, which was arrived at upon the Motion of the right hon. Gentleman now President of the Board of Trade, was carried by a large majority. It was not necessary for him to prove that the Office was a sinecure, because that had been admitted by Cabinet Ministers over and over again, even Mr. Pitt having said, when questioned on the subject, that where the Premier was a Peer the duty of the Lord Privy Seal was to sit near him in the House of Lords and keep off the moths. The Committee of 1850 examined several witnesses, among whom were Lord Halifax (who now held the Office), Lord Minto, Lord Palmerston, and Sir Robert Peel. What were the reasons why the recommendation of that Committee had not been acted on? The other night, when the hon. Member for Brighton (Mr. White) asked a Question on the subject, the answer was, that both in 1859 and 1860 the opinions of the House had been taken upon it and a majority had declared against it. He believed, that as a matter of fact, the opinion of the House was taken only in 1860, when the present Chief Commissioner of Works brought the subject forward, and Sir George Cornewall Lewis then used the argument that it was not proper to raise the question as a matter of Supply, but that the opinion of the House should be taken on a regular Motion upon the point. Before the Committee of 1850 the present Prime Minister took the same strong line which he had done on a recent occasion, when he said that, in a Cabinet and Government constituted as ours, it was for the public advantage that we should not have anyone who held Office too heavily laden with the immediate duties of his Department. In 1851 the right hon. Gentleman who was now President of the Board of Trade, and Mr. Hume, brought the subject before the House, when a long discussion ensued, and the argument that it was necessary to have in the Cabinet persons not connected with departmental duties was stated in

the clearest way. But, even admitting for the sake of argument, that it was necessary to have such advisers, it would be far better that their salaries should be paid to them as unofficial Members of the Cabinet. There were some Members of the Cabinet, such as the Chancellor of the Exchequer, who were overburdened with work, and some assistance might be necessary; but there were others with leisure enough to perform other duties than those of their own Departments. When so many reductions were being made by some Members of the Cabinet in the lower ranks of their Departments, it was not right that a sinecure Office like that of Privy Seal should be retained. When the Government were called to account for dismissing persons occupying humble positions in the Civil Service, their reply was that they were responsible to the taxpayers, and that their first duty was towards them. But if that was their position in regard to the lower Offices, why make a difference in the case of the higher ones, such as that of Lord Privy Seal? In the lower Offices the men were needed at a certain time, and then a break occurred, after which, however, they would be sure to be wanted again; yet during the interval they were dismissed. But only the duties of the Lord Privy Seal only came in periods of great pressure, and were not continuous but intermittent, and of no long duration. If the Government could reconcile their action in respect to the Office of Lord Privy Seal with the recommendation of the Committee of 1850, and with their sense of duty to the country, he feared there were others in the House who could not reconcile such a state of things with the pledges they had given to their constituents. The hon. Baronet concluded by moving his Resolution.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that, with a view to the reduction of public expenditure, it is expedient that all unnecessary offices should be suppressed; and that at a time when reductions are being made in the lower appointments in the public service, it is fitting that the sinecure office of Lord Privy Seal should be abolished,"—(*Sir Charles Dilke*.)

—instead thereof.

MR. GLADSTONE said, he admitted that there was a *prima facie* case made

*Sir Charles W. Dilke*

out, nor could he be at all surprised that, from time to time, the attention of Parliament should be directed to subjects like the present one; nay, it was very proper that that should be done. As he understood, an hon. Friend of his (Mr. Lambert) intended to ask next year for an inquiry into the higher Offices and their salaries, and without entering into the particular motive which governed the hon. Gentleman, on which he (Mr. Gladstone) would have a word to say if necessary—though he feared it would not advance his hon. Friend's views—he would say that the subject was one which ought to be brought under the notice of Parliament; and seemed it to him desirable to postpone the whole matter until that period. What his hon. Friend (Sir Charles Dilke) had urged—namely, that it would be preferable, if gentlemen were needed to assist the heads of overworked Departments, to pay them a salary, leaving them without any Office whatever, was worthy of consideration, though he did not agree with his hon. Friend. However, his object now was to point out that some supply or other was really requisite for the efficient discharge of Public Business over and above that which could be fully met by those immediately connected with the various Departments. It was not possible to exaggerate the importance of what he might call the non-departmental work of the Government, and if men had their minds full of departmental subjects, it would not be possible for them to give that disengaged and concentrated attention to the work which was so absolutely necessary. This non-departmental business arose in various forms. Sometimes it arose in the form of Bills intended to be introduced into Parliament which might be in the charge of a particular Department, but which might be of such magnitude as to require the concentration upon them of many minds. Such a Bill was that dealing with land tenure in Ireland, to which the Chief Secretary for Ireland applied himself with his great ability and wide knowledge of the subject, but which was too vast to be dealt with by any one Department. He (Mr. Gladstone) spent a full half of his Recess upon it; but neither his right hon. Friend nor himself would of themselves be equal to the construction of such a measure, and it was absolutely necessary they should receive assistance from others



not so absorbed by the business of Departments. His noble Friend who was then Lord Privy Seal (the Earl of Kimberley), but who now filled an Office very much worthier of his abilities, gave them the most valuable aid. Again, it was a standing practice with all Cabinets in which he had sat to appoint Committees. On these Committees it was impossible, as a general rule, for the heads of the most laborious Departments to serve; and, in order to strengthen them, it was necessary that there should be on them one or two Members of the Government who were little employed in other duties, thus enabling the subjects these Committees might have to consider to be vigorously grappled with from time to time. Then, taking legislation in the House of Lords, where they had six Members of the Government, four of these—the Secretary of State for Foreign Affairs, the Secretary of State for the Colonies, the Lord Chancellor, and the Secretary of State for India—were all hard-worked Officers of State, who were unable to take charge of all the legislation to be conducted through the House of Lords; the fifth was the President of the Council, who could devote time for this important purpose. Now, it was only to-day he had been asked whether, considering the immense pressure of the duties which would devolve upon the Office under the Elementary Education Bill, it would not be necessary to effect a separation of Offices in the Department of the Privy Council in order to relieve that Department from a great portion of its duties, so as to enable those duties to be efficiently discharged. The Lord Privy Seal was now the only Adviser of the Crown in the House of Lords to whom, as a general rule, they could look for the conduct of measures not connected with particular Departments. The hon. Baronet (Sir Charles Dilke) said they had effected reductions in the lower officers, who were dismissed in an interval of repose, only to be re-employed again when the demand for their services arose. He hoped his hon. Friend would not make the point that the Members of the Government should be dismissed at the commencement of their holidays. His hon. Friend said that the Lord Privy Seal had duties only occasionally; but he (Mr. Gladstone) contended that the Lord Privy Seal in an

active Government, and when Parliament was in a state of great vivacity, was for nine months of the year a hard-worked officer, because between the end of October—about which time the Cabinet Councils commenced—and the beginning of February, he would usually be employed in considering the measures of the coming Session, and then when Parliament met he was actively employed till the Prorogation. What he (Mr. Gladstone) hoped was, that if his hon. Friend was disposed to prosecute this subject, he would not confine his attention to the Office of Lord Privy Seal, but take a broader view of the matter, and bring together the duties to be done, and the strength appointed to do them; and thus they would be able to arrive at a fair conclusion on the whole question. He must say the Government did not shrink at all from comparison with the lower Officers as to the amount of work they got through, nor were the reductions made such as to render their own Offices comparative sinecures. He thought it was quite right that the subject should be brought before the House, as it would be very unfortunate if it went abroad that they were disposed to show a favour to the great Officers of State which they would not, and had not, extended to the poorer ones. He had himself already that day admitted that it was quite possible, if the Education Bill happily passed into law, that when they came to watch the development of the great machinery of that measure, it might be necessary to re-organize the Privy Council Office, and perhaps they might be able, without burdening the State, to do something in the way of re-adjustment, though he thought that must be done upon a consideration not of one isolated Office alone, but of various Offices in conjunction. What he had said was, perhaps, sufficient to show that there would be, on the part of the Government, a disposition to give a fair consideration to the whole subject; and, in conclusion, he would suggest that it would be well to adjourn the further consideration of the matter until the House was disposed to think that a more comprehensive view might be taken, and a thorough inquiry made into the general provision for the discharge of executive duties, and the comparative amount and weight of those duties. At the same time, he was thank-

ful to the hon. Baronet who had raised the question.

MR. MACFIE said, he was glad that Her Majesty's Government had expressed themselves disposed to reconsider the various Departments. He had a Notice on the Paper relating to that subject. His own view was, that it would be best for the English people to work the Departments by Boards.

MR. BOUVERIE said, he agreed in an opinion once expressed by Lord Brougham when in that House, that Boards were nothing more than screens. He did not approve of Boards; but, at the same time, he would not be any party to taking away from the overworked Members of the Cabinet the assistance which they already possessed. The hon. Baronet the Member for Chelsea (Sir Charles Dilke) must admit, if he looked at the row of faces on the Treasury Bench, and observed their complexions and appearance, that the heads of the great Departments of State were very much overworked. The tendency of this overwork was to make the Government of this country one of Departments merely, for it deprived heads of Departments of the leisure they required for thought, deliberation, and consultation, especially in critical times like these. To abolish the Office of Privy Seal would be to deprive the head of the Government not of the opportunity of giving a place to a supporter, but of the opportunity of enlisting the assistance of a man of experience in the conduct of public affairs, and of one whose freedom from official duties would leave him free to give the assistance that might be required, while his strength might not be equal to the labours of an exigent Department. If the Motion of the hon. Baronet were carried it might dam up the public service very considerably by throwing additional work upon heads of Departments, who had now too much to do, and therefore, in the event of a Division, he should join the Government in resisting the Motion.

MR. NEVILLE-GRENVILLE said, he did not think a case had been made out for the abolition of the Office of Privy Seal. He agreed that all unnecessary Offices should be suppressed; but he thought the House would unanimously agree that this was not an unnecessary Office. The Mover of the Motion ought to have gone further, and said that all

necessary Offices should be put upon a proper footing. A Fourth Lord of the Treasury without salary was in an invidious position, and his Colleagues who were paid were also placed in an invidious position by the fact that one of their number was not paid. Another semi-amateur official was the unpaid Ecclesiastical Commissioner who sat in the House, in addition to the one who was paid. If Offices were considered necessary, those who held them ought to be properly paid. It was beneath a country like this to accept the services of unpaid volunteers, and such services were often regarded with suspicion.

MR. KINNAIRD said, he thought that the hon. Baronet (Sir Charles Dilke) had been scarcely well treated by the House, as his Motion only carried out practically the recommendation of a Select Committee, upon which a Member of the present Cabinet (Mr. Bright) sat, and to the conclusions of which he had given his assent. Nothing had been said to alter the view taken by the Committee that the Lord Privy Seal had very little to do, and it was impossible to maintain that a Cabinet Minister sitting in the House of Lords had work to do anything like so hard as one sitting in the House of Commons; at all events, in the case of the former he must have comparatively much leisure. Hon. Members must not deceive themselves by putting the Lord Privy Seal in the same category with the First Minister of the Crown, who, indeed, was overworked. But why was it that those two Offices—the President of the Council and the Lord Privy Seal—were always held by Peers? Why were Members of the House of Commons precluded from them, and from thus accepting a share of the labour that devolved on the Ministry in that House? He agreed so far with the President of the Board of Trade that he should vote for the Motion, of which by anticipation that right hon. Gentleman had approved.

COLONEL WILSON-PATTEN said, that having had the honour of being Chairman of the Committee to which reference had been made, he did not wish to give a vote without offering a word of explanation. He quite agreed that not only the salaries in the Office of the Lord Privy Seal exceeded the duties to be discharged, but the Office might be entirely dispensed with. But he con-



fessed that he agreed with his right hon. Friend (Mr. Gladstone) that, owing to the mode in which the Government work was carried on, it would better to take the whole question first into consideration, with a view to a redistribution of duties and responsibilities. Since the Committee sat he (Colonel Wilson-Patten) had watched very carefully the way work in the Cabinet was performed, and he was bound to say he had seen occasions in which it would have been quite impossible that the Cabinet could perform their duties without the assistance of a few men with leisure. He had occupied an Office in the Government to which there were no very important duties attached—that of Chancellor of the Duchy of Lancaster; but during the time he filled the Office the Home Secretary was so overworked that he had to perform duties which, in strictness, did not appertain to him, and especially he had to attend to the question of local taxation when it came up. The chief work of the first Reform Bill fell upon Lord Durham, who held one of these Offices. [MR. GLADSTONE: And Lord Russell was Paymaster.] He, therefore, would suggest that the hon. Baronet (Sir Charles Dilke) should wait until the whole matter could be dealt with; and his belief was that if these two Offices were abolished now others must be created in their place. He would, therefore, vote in favour of the Government at the present moment.

SIR WILFRID LAWSON said, he had not heard anything advanced to induce him not to support the Motion of the hon. Member for Chelsea. His hon. Friend did not wish to deprive the Cabinet of whatever assistance was necessary; he only objected to the maintenance of a sinecure Office.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 170; Noes 60: Majority 110.

#### ROEHAMPTON GATE.—OBSERVATIONS.

MR. ALDERMAN W. LAWRENCE said, he rose to call attention to the fact of Roehampton Gate being closed to the public, owing to a dispute between the Government and the owner of the road leading to it, and to urge upon the First Commissioner of Works the neces-

sity of having the gate opened, in order that access through it to Richmond Park might be obtained by the inhabitants of London. Efforts had been made by successive First Commissioners of Works to have the gate thrown open, but without success; and the only result of the negotiations was to have the road closed absolutely not only to the public, but to the carriages of the Queen and Royal Family, who formerly enjoyed the privilege of driving through the gate. His opinion was that both the owner of the road leading to the gate and the Government had been wrong in their negotiations, and the public had consequently been the sufferer. Were the First Commissioner of Works, however, now to bestir himself in the matter, he believed a satisfactory result would be obtained. He contended that as the Government, by having offered to pay £2,000 to the lady who now owned the adjacent lanes, had shown their willingness to purchase them, a fair price ought to be ascertained and the matter settled by the Government giving the full value for the whole property, including the two private roads, whatever the value might be, recouping themselves by the increased value which would be thus given to the portions for building purposes. He was given to understand that all that the owner of the approaches to this gate—who had hitherto maintained the roads at her own expense—wanted was a fair price for her ground, and that if this were given the public would obtain the right to use Roehampton Gate as an entrance to Richmond Park. Should it ultimately turn out, however, that the lady refused to give up the road at a fair valuation, it was the duty of the Government to introduce a Bill asking compulsory powers to take the road. Had he not been precluded by the forms of the House from taking a Division upon the subject he would have moved a Resolution, but, as it was, he would very strongly urge upon the Government the necessity of taking immediate steps to have the Gate opened.

#### NATIONAL GALLERY.—OBSERVATIONS.

MR. BERESFORD HOPE said, that as the First Commissioner of Works was precluded, by the forms of the House, from speaking twice, he begged to call attention to the Question which stood in his name upon the Notice Paper before

that right hon. Gentleman rose to reply. Last year he (Mr. B. Hope) moved for and obtained copies of certain correspondence that had passed between Her Majesty's Office of Works and the architect of the new National Gallery. This year he moved for other correspondence in continuance of that of the previous year; but, when he obtained it, he found to his surprise that one-half of the documents he had a right to expect did not appear, and that much of what was printed had nothing whatever to do with the subject to which the correspondence referred. The Government had made him a present of documents for which he did not ask, and which were calculated to confuse the question. His Motion was for a continuation of a correspondence between the Office of Works and the architect of the new National Gallery, who was appointed on the 16th of June, 1868, by the noble Lord the Member for North Leicestershire (Lord John Manners). During the previous year, while the same noble Lord was at the head of the Department, a competition, originated by the right hon. Member for South Hampshire, took place between architects with regard to the National Gallery, and the Judges reported that, while none of the designs as they stood "were such as would be recommended for adoption," the one for a new gallery by Mr. E. M. Barry, and the one for an adaptation of the present one by Mr. Murray, "respectively exhibited the greatest amount of architectural merit." In consequence of this recommendation, and considering that the partial failure was due to the incompleteness of the instructions given to the competitors, Mr. Barry was appointed in 1868 as architect of the new National Gallery—not to carry out his competition design, but to make a new one. This was the beginning of a new era; and yet the First Commissioner had appended to the Return copies not of Mr. Barry's competition plan, but merely of its façade, and also of that of Mr. Murray's adaptation, while on the face of each was printed the passage he had quoted from the Judges' Report, which, standing as it thus did alone, carried on its face a perfectly unwarranted appearance of depreciation, both of Mr. Barry and of his fellow-competitors. A pamphlet with illustrations by Mr. Layard, incidentally referred to in the correspondence, was also given; but of that

he did not complain. He was bound, however, to make a protest, when he only obtained half of the Papers he moved for, and was put off with documents which only tended to complicate a question already sufficiently entangled. It was clear that a stranger who knew nothing of the progress of the whole affair, and of Mr. Barry's present position, but who came unprepared upon Mr. Barry's and Mr. Murray's designs and the accompanying Report, would think that the whole matter was still in uncertainty, and not—as was the fact—settled, and only waiting for the word of order to proceed. He complained of the colour which the unusual procedure of the First Commissioner was calculated to give to the affair. Having thus established his complaint, he wished to ask what was the present state of the case in relation to the National Gallery, and whether it was likely that one or two blocks would be built on the ground already purchased at the back, so that our pictures might be housed safely and in a creditable manner, leaving the building in front to be dealt with at some future time?

MR. A. GUEST said, reverting to the subject of the Roehampton Gate, he must repeat the complaints of the hon. Alderman (Alderman Lawrence). Access to Richmond Park by way of Roehampton Gate would be a great convenience to the inhabitants of the metropolis. He regretted that the subject had been re-opened; but the difficulty would be solved if the right hon. Gentleman (Mr. Ayrton) would bring in a Bill to buy up the private roads and land in question.

MR. AYRTON said, the wall of Richmond Park abutted upon the estate of a lady owning considerable property in the locality. Two private roads had been made through the estate, and they converged at one point on the wall of the Park. The administration of the Park had made a gate at the point of convergence, and by an interchange of courtesies, the lady was allowed to enter the Park from these roads, and members of the Royal Family passed over them from the Park to the public highway. This permission was extended from time to time to persons occupying lodges in Richmond Park, or residing in the immediate neighbourhood, and whose names were registered in a book kept for that purpose. Some time ago a desire was ex-

*Mr. Beresford Hope*



pressed to convert these private roads into public thoroughfares, and, negotiations being entered into, the Treasury sanctioned the payment of £2,000. In doing so they made a great concession, inasmuch as it did not necessarily come within their functions to make public roads for the convenience of the inhabitants of the metropolis; and it was only the circumstance of its being connected with the Royal access to the Park that made it reasonable to comply even with so small a request. A demand, however, was made for a larger sum, and it then became the duty of his predecessor (Mr. Layard) to consider whether the Government should make public roads while the local authorities stood by with folded hands. No offer having been made to contribute towards the undertaking, either out of the local funds or out of the general metropolitan funds, the matter was allowed to drop. As had been mentioned, some personal questions were raised, and he stated that he was prepared on the part of his Office to tender an apology. A dispute afterwards occurred as to whether he had offered an apology, and he then stated that if requisite he would make an apology again in any reasonable terms. Therefore there could not be any doubt as to his willingness to remove anything which was disagreeable to the feelings of the lady in question. He had heard nothing more since that time, and he was not aware of their being any prospect of successful negotiations. The hon. Member for the City of London (Mr. Alderman Lawrence) proposed that the Crown should buy the whole property; but his Department could not engage in speculations of that kind. Probably, if the hon. Member could satisfy the Commissioners of Woods and Forests that this estate, which was now in the market, would be a profitable investment for any funds they might have in hand, they would be ready to consider the scheme. For his own part, all he could say was that if any proposition was made to his Department, coming within the terms previously sanctioned by the Treasury, it would be his duty to consider it; and, in fact, he should be happy to do all in his power to aid in the formation of a public carriage road into the Park. But it was not for him to bring in a Private Bill; the local authorities could pursue that course if they thought fit. He had

done all he could in the matter so far by making arrangements, with the approval of the Government, for providing a foot-path to give uninterrupted access to the Park to the million, who could not go to the Park in carriages. He would now proceed to the question raised by the hon. Member for the University of Cambridge (Mr. Beresford Hope). He could assure the hon. Member that there had been an entire misunderstanding as to his wishes. The Department had been under the impression that he wished for a continuation of the Papers relating to the construction of the building, and not of the correspondence with regard to the remuneration of the architect. But there would be no objection to the production of the additional Papers which he desired to have. The hon. Member had taken advantage of certain omissions to comment upon the explanatory Papers he had received, and to the publication of which he objected. It was only right, however, that Papers should be laid on the Table in such a form as would enable the House to understand the question to which they bore reference. The first of these Papers was Mr. Barry's Report, in which allusion was made to Mr. Layard's document. As he could not comprehend the Report without that explanatory document, he thought he was justified in assuming that no hon. Member could understand the one without the other, and therefore Mr. Layard's pamphlet was added to the Return. The drawings, and Mr. Murray's elevation were also added for similar reasons. His desire had been to afford such information as that the plan might be intelligible to hon. Members who had not sat in a former Parliament as well as in this.

THE CHANCELLOR OF THE EXCHEQUER said, that, as a question had been raised by the hon. Member for Cambridge University (Mr. Beresford Hope), with respect to the National Gallery, he had to say that the Government, owing to recent changes, and the practical advice they had received from the Board of Works, had come to the conclusion that it would be possible this Session to take a step in the direction indicated, and a Supplementary Estimate for that purpose would be laid on the Table in a few days. He hoped that, with a moderate sum, they would be able to accomplish all that might be required for a considerable time. He was glad to find they

could now take a step which at one period of the Session he had stated, in answer to a Question of the hon. Member, he despaired of.

LORD JOHN MANNERS said, that when he had the direction of this matter he considered that the question was between the erection of an entirely new building and the patching up of the old one. What he had instructed Mr. Barry to do was to prepare a plan for a new Gallery in the ordinary sense of the term.

#### SOUTH AFRICA—TRANSVAAL REPUBLIC AND ORANGE FREE STATE.

##### OBSERVATIONS.

MR. R. N. FOWLER said, he rose to call attention to the relations between the Cape Colony and the South African Republic and the Orange Free State. His hon. Friend the Member for Northampton had had a Notice in regard to the Basutos, and he therefore should leave that question, confining himself to expressing his hearty sympathy with the views of his hon. Friend on that subject. The Papers which had been laid on the Table of the House on this subject showed that the statements of the horrors of slavery carried on in the Transvaal territory, which he submitted to the House last Session, were not exaggerated. The most horrible cruelties were perpetrated. He believed that 6,000 orphan children were being held in slavery. The Governor of Natal wrote that 3,000 native children were annually apprenticed, and apprenticeship was only another word for slavery. He had letters before him which led to the belief that such a state of things continued up to the present moment. When the right hon. Gentleman the Secretary of State for War was at the Colonial Office he expressed his opinion of the enormity of the state of things which then existed, and all hon. Members who had considered this subject would come to the conclusion that the conduct of the Transvaal Republic was disgraceful to a nominally Christian and civilized country. As regarded the future of South Africa, it was said to be the object of the rulers of that State to consolidate South Africa into a large Republic, of which the Orange River Free State should form the principal part. For himself he should be glad to see the European population of South

Africa consolidated into a Confederation after the example of that which had been so successfully inaugurated in Canada and the adjacent countries. That, he believed, would supply the best means of meeting the difficulty. He had heard with regret that it was the intention of Her Majesty's Government to withdraw the Imperial troops from the Cape. He looked upon it as a policy not unattended with risk, for it must be remembered that there was a large Dutch population to be dealt with, on whose part there was not to be expected the same feeling of loyalty to the British Crown as existed among the population of British origin.

MR. GILPIN said, that he had placed a Notice on the Paper relating to the question, but he had forborne to press it on account of the late period of the Session at which they had arrived. He, however, thought they were all agreed as to the importance of the question. A relative of his who had recently returned from South Africa informed him that slavery in South Africa was not only not put a stop to, but was actually increasing, and that it was a very common thing to find a family of Transvaal Boers served by slaves kidnapped in violation of the Treaty between Her Majesty's Government and the Boers. He should like to raise the question as to how far it was the right of a Colonial Government and the Colonial Office to alienate British territory, as they had done in the case of the land of the Basutos, without the knowledge and consent of this country. He considered that the Parliament of England should be the ultimate arbiter in this matter.

MR. KINNAIRD said, he concurred in the views just expressed by the hon. Member for Northampton (Mr. Gilpin). He greatly disapproved of the Treaty made by Sir Philip Wodehouse as being unjust. The Basutos were guaranteed as much as any nation could be the possession of their land; they trusted to the Government for redress and no redress had been given. He was sorry that Government had not seen their way to suspending Sir Philip Wodehouse.

MR. MONSELL said, there could be no doubt that the statement which had been made by his hon. Friend (Mr. R. N. Fowler) with regard to slavery was in no degree exaggerated. Native children called orphans, and perhaps made



orphans by the murder of their parents, were registered as apprentices for 21 years, and during that time they were sold from hand to hand as a marketable commodity. On account of the gross breach of the Treaty between this country and the Transvaal State Her Majesty's Government had considered that Convention no longer binding which placed restrictions on supplying the Natives with arms. We now gave the Natives the same facilities for acquiring arms and ammunition as the Boers, and as far as that went the means of defending themselves against aggression. It was a notorious fact with regard to the Zulus, that while they cultivated their land, and had herds up to the very borders of our territory, they kept a district uncultivated on the side of the Free State, as they desired to have some notice before the approach of the enemy. Our conduct in Natal and the other districts had been such as to give us considerable moral influence, and he trusted that influence would in the end be sufficient to overbear the cruelties of the Boers. He did not sympathize with the hon. Member in his regret for the loss of the Orange territory, and he did not think that there would be many Members of that House who would sympathize with the hon. Member. His right hon. Friend the Member for Droitwich (Sir John Pakington) stated some time ago that to maintain it we should have been obliged to keep on foot a force of 2,000 foot and 500 cavalry, and it was idle to suppose that the people of this country would have borne such an expense for that object. With regard to the observations of his hon. Friends, the Member for Northampton (Mr. Gilpin) and Perth (Mr. Kinnaird), as to the Basutos, the facts were that the Basutos when conquered by the Boers entreated the British Government to take them under its protection, and Sir Philip Wodehouse, in order to rescue them from destruction, proclaimed the Basutos to be British subjects, distinctly stating, however, that the question of boundary was one which he entirely reserved for future consideration. There was, no doubt, much good land which the Basutos had been compelled to give up, but Sir Philip Wodehouse recovered for them from the Boers, by pacific means, a large amount of land, sufficient for their support, and they were deeply grateful

for the advantages secured to them by his interposition.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered in Committee.*

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £10,170, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Buildings of the Houses of Parliament."

MR. AYRTON said, he had to ask the Committee to vote the sum of £10,170 as a Supplementary Estimate for the amount required for the buildings connected with the Houses of Parliament. The purpose for which it was proposed that this money should be spent was for the convenience of hon. Members in the discharge of their duty while attending that House. That subject had long engaged attention in successive Parliaments. In 1863 the Committee annually appointed to watch over the refreshment department of the House made a Report calling attention to the insufficient accommodation afforded by the existing refreshment-rooms, and recommended a plan which had been brought under their notice by Mr. Barry for pulling down the side wall of the present refreshment-rooms, and thus making them broader and more commodious. Towards the end of the Session that Report was brought under the consideration of the House by the Chairman of the Committee, and somewhat discussed; and he himself took the liberty of condemning that proposal as very unsatisfactory, and suggested that a better arrangement would be to make two or three of the rooms, forming part of the magnificent range in front of the river available, for the refreshment department of the House. Practically, the conference-room had ceased to be used for its original purpose, and he suggested that it should be regarded as the centre of operations; but the scheme was virtually negatived by public opinion. In 1867 a plan was brought under the notice of the Refreshment-room Committee, as he

learnt from the record of their proceedings, but the plan was not to be found in the Office. Next year a Committee was appointed to consider the subject, and Mr. Barry submitted to the Committee plans which would have cost £24,000, and which the Committee rejected as unsatisfactory. Again, last year his predecessor (Mr. Layard) submitted plans to a Committee, which was not satisfied with them; and thus it happened that when he entered Office there were no plans before the House which met with general approbation. He first set himself to inquire what were the real wants and wishes of hon. Members, and then considered the most likely way of meeting them. He arrived at the conclusion that it was desirable that the conference-room and the adjoining room should be appropriated as the principal refreshment-room, and that the present refreshment-room should be made available as a tea-room and a newspaper-room—by which means would be concentrated under one roof on the left-hand side of the House the rooms set apart for Members exclusively, which they could have access to without passing through a public lobby—and that the rooms on the right-hand side of the House should be made available for more public use, and apartments should be provided in which Members might see their friends with more convenience than was at present possible. In this way he would draw a clear line of demarcation between the parts of the House that were private and those that were accessible to the public. At the same time, he concluded that, if it were possible to avoid it, no part of the permanent structure of the building ought to be pulled down. Submitting these views to intelligent officers of the Department, skilled in adapting public buildings to the wants of the day, he received plans showing how the desired changes could be made by simply pulling down party walls. That scheme he asked the House to refer to a Select Committee, which was done; and as the House of Lords had some claims on the conference-room, he communicated with the Committee of the Black Rod. That Committee desired that a room should be substituted for the conference-room, and that there should be a communication between the Lords' committee-rooms and the Commons' com-

mittee-rooms. Against the latter proposal he felt it to be his duty to protest, on the grounds of interference with the structure of the building, and with the convenience of hon. Members hurrying along the corridors to the House, as they were often called upon to do. The Committee of this House unanimously approved the scheme, and expressed no opinion on what concerned the House of Lords. Instead of requiring a new room in lieu of the conference-room the Committee of the Black Rod might have been content to take advantage of the enormous accommodation to be found in the House, but the Lords were entitled to express a judgment, and they insisted upon having a new room; and all he had to do was to submit the matter to the Government, who entered into communication with the Committee of the Black Rod. The result was, it was agreed that a new committee-room should be erected, though not in such a way as to interfere injuriously with the structure of the building; and the Committee of the Black Rod made a Report adopting the plans which had been submitted to this House. He had suggested that there should be, what everyone desired, a joint service in respect to the refreshment-rooms for both Houses, which should consist of three rooms; but the Lords declined to participate in that arrangement, and determined to continue the occupation of their separate refreshment-room, although, singularly enough, they had made a Report on the kitchen arrangements of the House of Commons. But, inasmuch as the Report was based on a not very accurate knowledge of the facts of the case, it was not necessary to refer more particularly to it. With respect to other matters they were of a comparatively minor kind, and were arranged on the same principle of not making any serious inroad on the permanent structure. An additional room now used for another purpose would be appropriated for providing additional accommodation in connection with the Ladies' Gallery, which would prevent the ladies visiting the House being so cramped as at present. A refreshment-room would be provided for the reporters by appropriating a portion of the building not used for any other purpose. Those gentlemen were at present subjected to great inconvenience and annoyance, being obliged to take

*Mr. Ayrton*



their refreshments in a small and inconvenient room, in which they had to carry on their very useful duties. It was also proposed that there should be a better access to the strangers' refreshment-room. A sum of money was asked for in order to complete the arrangements of the iron gates at the landing-place at the north end of the building, the arrangement at the steps leading from Westminster Bridge to the arcade, and for altering the windows at the end of the division lobbies of the House of Commons, in order to meet the complaints of want of air which some hon. Gentlemen had made with regard to those lobbies. Another proposal was to make an alteration in one of the windows of the smoking-room. There was felt to be great inconvenience in having windows out of which no one could look on sitting down. It was, therefore, proposed to alter the central window of the smoking-room; and, if that experiment succeeded, it might be repeated on the other windows. He hoped, for the sake of the general convenience which the arrangements would effect, the Committee would not object to the Vote. The right hon. Gentleman concluded by moving that a sum of £10,170 be granted for the purposes he had mentioned.

MR. BENTINCK said, he rose to move the reduction of the Vote by the sum of £7,000 odd. He felt bound, after the extraordinary statements made by the right hon. Gentleman who had just sat down, to traverse some of the allegations contained in that statement. The right hon. Gentleman had always been known as the possessor of a strong imagination; but he had now taken a very high flight, and asserted himself to be the entire inventor of this plan for the improvement of the Houses of Parliament. According to his own statement, the right hon. Gentleman himself had done everything, Mr. Barry nothing; but that assertion had no foundation in fact. No doubt, Mr. Barry did, in 1863, suggest a plan for enlarging the refreshment-room by altering the walls of the present structure; but that plan was not adopted, and Mr. Barry afterwards maintained the best plan would be to secure the conference-room and the tea-room for the purpose. There could be no doubt that the plan, as ultimately presented to the House, was entirely Mr. Barry's, and was part of the plan which

was laid before the Committee of the right hon. Member for Newcastle (Mr. Headlam), in 1867. In all the proceedings of that Committee, and in the correspondence which took place upon it, the plan was recognized and acknowledged as Mr. Barry's; and he could not understand how the right hon. Gentleman could now calmly appropriate it in this way, without one word of acknowledgment to its real author. It was preposterous to say that, because, some years ago, the right hon. Gentleman had made a similar suggestion, therefore the whole merit of the plan belonged to him. The contrary of his statement was proved by the Kitchen Committee of 1867, who reported as follows:—

"Mr. Barry has now suggested a plan for improving the accommodation by converting the present conference and adjoining rooms into a large dining-room for both Houses of Parliament, in lieu of the present separate dining-rooms; and they are of opinion that this plan is preferable to any yet produced before your Committees."

In 1868 Mr. Barry was instructed to prepare a plan in accordance with this Report, and the proposal for the dining-room on the ground-floor was the result of the objection on the part of the House of Lords to give up the conference-room, which objection of course rendered a new arrangement necessary. But Mr. Barry met this objection by proposing to give the Lords a new room in the space beyond the lower waiting-hall, which the Commissioner of Works now intended to take, and this plan was approved by the Lords' Committee last year and also by the Kitchen Committee of the Commons, who, on the 12th May, 1869, reported that—

"They saw with satisfaction that in the new plans of Mr. Barry it is proposed to adopt the original proposition of converting the present tea-room and conference-room into dining-rooms."

In July, 1869, Mr. Barry, by the direction of the Lords' Committee, sent a plan and also a letter to the Office of Works. He (Mr. Bentinck) had moved for these documents; but the letter was not forthcoming, as it fully established the facts he alleged, though no one could dispute their accuracy. On the 9th of August the Commons' Committee appointed to consider "a joint service for both Houses," reported. Mr. Barry was examined before that Committee, and as he had received insufficient instruction, he was only able to say that the covering estimate for the whole work would be about

£22,000; but then it must be remembered that this estimate comprised more than double the works now contemplated—a fact carefully concealed from the House by the First Commissioner; and nothing could be more unfair than to say that the Commons' Committee of last year decided the plans to be unsatisfactory, because their Report merely stated that they were not prepared to recommend to the House that so considerable an outlay should be made at once, but thought the subject should be deferred until next year. Mr. Barry continued to be recognized as architect during Mr. Layard's tenure of office; but the instant the right hon. Gentleman succeeded he reversed the policy of all his predecessors, and put into practice the fixed idea which possessed him that the worst man to be employed in these works was the man who knew what he was about. The right hon. Gentleman replied upon the Report of the Committee of May last upon his plan; but this Report was wholly defective for want of evidence. Two witnesses only were called, and they were both officials of the Office of Works. Mr. Barry was not summoned, or he would have shown how his plan had been stolen, how his estimates had been grossly misrepresented, how he could have done the present work for £6,000, and also the patent defects of the First Commissioner's plan. But the right hon. Gentleman had made a most egregious blunder by not examining before the Committee a single witness connected with a refreshment department, either there or in any other place, or who knew how to serve a dinner, and the result was that no satisfactory kitchen service could by any possibility take place under the proposed arrangements, and it was manifest that the subject required reconsideration. The Reports of the Committees of the House of Lords of this Session advocated and confirmed all his (Mr. Bentinck's) objections; and, though the Lords had agreed to accept the new conference-room, they had not withdrawn anyone of their unanswerable objections to the scheme. But if common sense and expediency did not demand the employment of Mr. Barry, the Government were bound to this by their own declaration. On the 13th of May, the Chancellor of the Exchequer had expressed an opinion that Mr. Barry ought to be employed on architectural works

in the House; and how could he retreat from that position with honour in the case in point, where main architectural features of the House were proposed to be obliterated and altered. The architectural objections to this scheme were:—1st, that the lower waiting hall would be entirely destroyed in effect by cutting off the branch which intersected the corridor; 2nd, that the continuity of the corridor, one of the main principles of the building, would be permanently interrupted; 3rd, that the new conference-room, which was to be architectural in character, was supported upon columns in the court below, carrying a projection of above 11 feet, and darkening all the rooms below. It was manifest that such works could not be properly executed by obscure clerks, but only by a competent architect. The practical objections were, if possible, even more serious. The kitchen was small, and ill ventilated; and it was impossible the kitchen service could be carried out, the kitchen being only 90 feet from the serving-room, which, according to the testimony of the managers of two of the largest clubs in London, would render it impossible to dine 50 or 60 gentlemen who might rush in for dinner on a busy night. The place where the dinners would all be brought up he proposed to construct out of an elaborate Gothic porch, which would bring all the dinners of the House into a place where there was neither light nor air, the effect of which would certainly be to create unpleasant odours and intense heat. Then he proposed that the bar should protrude into the room itself. But it was impossible to have wines and liquors served properly in such a place, because there was no air, and the heat would be too great. A place for wines had been entirely forgotten. Now, it was absolutely necessary, where wines might be called for in a hurry, to have the place in which they were kept on the same floor as the dining-room. Apart entirely from aesthetics, this plan would not do. The best thing for his right hon. Friend to do would be to leave out the item, and let the matter be considered next year. The so-called Liberal party invariably had an official to "meddle and to muddle." Lord Russell used to fulfil this function; but the right hon. Gentleman (Mr. Ayrton) had taken his place with great aptitude and effect. He

*Mr. Bentinck*



begged to move the omission of the Vote, in order that the question of re-arrangement of the refreshment-rooms should be more fully considered.

Motion made, and Question proposed,

"That the Item of £7,160, for the Re-arrangement of the Refreshment Department, and for Alterations connected therewith, on the Basement and Principal Floors, and for the Erection of a Committee Room for the use of the House of Lords, with Entrances thereto from the Peers Corridors, be omitted from the proposed Vote."—*(Mr. Bentinck.)*

MR. BAILLIE COCHRANE said, the Motion raised two questions—the treatment which had been dealt out to Mr. Barry, and the increased accommodation the right hon. Gentleman (Mr. Ayrton) proposed to give to the House by his present plan. He (Mr. Baillie Cochrane) had a very slight acquaintance with Mr. Barry, and was, generally speaking, no great admirer of the architecture of the Houses of Parliament; but he (Mr. Baillie Cochrane) must say that although the building did not please him, it was yet a great work, and he could not help thinking that the son of the architect had been treated with something like ingratitude. The right hon. Gentleman had certainly not treated Mr. Barry properly, for he practically took his plan, and after the manner of gipsies who kidnapped children, defaced it in order that it should not be known. He (Mr. Baillie Cochrane) contended that Mr. Barry had great cause of complaint in being removed from his position; for though he had only about £180 a year for giving advice, he had the satisfaction of feeling that he was associated with the Houses of Parliament which his father had built, and he regarded his position as a testimony of respect to the memory of his father. All these matters should not be looked at exclusively from a money point of view; but the right hon. Gentleman had no sympathy with such feelings. His hon. Friend (Mr. Bentinck) had referred to a Committee on which he (Mr. Baillie Cochrane) sat in 1868. That Committee recommended that a large amount should be spent on re-arranging the House, and for £130,000 they would have had a place worthy of the House of Commons. But no, they would go on in the old way, squandering money by false economy, and he believed that the course which the right

hon. Gentleman proposed to adopt would show once more how easy it was to dribble away large sums of public money by false economy, to the inconvenience and disappointment of all concerned. It was the case of the Serpentine over again. As his hon. Friend (Mr. Bentinck) had said, they were about to bring all their cooking in where there would be no ventilation, and the continuity of corridor would be broken; and he believed if the plan, which was a thoroughly bad one, was carried out, they would have the smell of cooking all over the House.

MR. COWPER-TEMPLE said, he regretted that his right hon. Friend (Mr. Ayrton) had unnecessarily introduced the name of Mr. Barry into the discussion, and compared his own skill in architecture with that of the son of the builder of that house. So far as the plan was Mr. Barry's it was good, and wherein it differed it was wrong. It seemed to him (Mr. Cowper-Temple) especially faulty in the distance between the kitchen and the refreshment-room. If they looked at the details they would see that Mr. Barry's estimate, taking into account the much larger amount of work, which on the recommendation of the Committee he was to perform, was as low as that of the right hon. Gentleman. He hoped that the right hon. Gentleman would get rid of those portions of his plan to which objection was justly taken, and that in particular he would take care that the intended refreshment-room should be conveniently constructed and properly ventilated.

LORD JOHN MANNERS said, that those who like himself were of opinion that Mr. Barry had already been badly treated, certainly could not be induced to regard with much favour a scheme which did that architect still further injustice. The plan which the Kitchen Committee requested Mr. Barry to make ought to be called not Mr. Barry's plan, nor the plan of the Kitchen Committee, but the plan of Mr. Alderman Cubitt, a very excellent judge, no doubt, of what was required. As to the charge that Mr. Barry threw over the excellent design which he (Lord John Manners) first started of dining-rooms on the same floor as the House of Commons, and invented a more costly plan, putting them on the basement floor, the right hon. Gentleman must know that

was not Mr. Barry's plan. But when the House of Lords declined to give up the Painted Chamber, Mr. Barry had to find some other mode of accomplishing the end in view. He noticed that the right hon. Gentleman treated the claim of the House of Lords to the Painted Chamber in a very cavalier manner. But the fact was, the House of Lords from the beginning were in possession of the Painted Chamber, and they stated plainly that they would not give it up unless they got a convenient committee-room in its stead. He regretted that Mr. Barry's plan had been departed from. True, it would cost more than that of the right hon. Gentleman; but then it should be remembered that it was a far larger, more complete, and more suitable plan. Moreover, it was one which included accommodation for the House of Lords as well as the House of Commons; whereas the scheme now proposed was only designed for the accommodation of the House of Commons. If, therefore, the new scheme were carried out, and should it afterwards be proposed to alter it, so as to include dining-rooms for the Lords, much additional expense would be incurred. His opinion was that the best thing to do would be to carry out a perfect and comprehensive improvement, instead of always making alterations, and that that would save money in the long run. He protested against the dismissal of Mr. Barry, and the handing over to other men the works designed by him; and he further protested against the Houses of Parliament being pulled about and altered by gentlemen who, however trustworthy and eminent in their profession, were not professed and skilled architects. He trusted that whatever works were agreed upon would be executed in a proper architectural style, under the superintendence and upon the responsibility of a competent, skilled architect.

MR. W. H. GREGORY said, he was afraid that that Vote was only the beginning of troubles. He concurred with the preceding speaker in thinking it essential, in matters like that before them, to have the assistance of a man of acknowledged architectural skill and taste. A high professional authority had characterized the changes now proposed in that great building as "barbarous;" and, in his own opinion, patchwork alterations of that sort were invariably

the most costly in the end. Without negating the Vote, however, he would recommend its postponement, and that the Government should do nothing till next Session.

COLONEL WILSON-PATTEN said, he also thought it might be advisable, under all the circumstances, not to proceed with the Vote at present. He had been a member of the two Committees which had been mentioned. The Committee, the year before last, came to the unanimous opinion that the plan and estimate proposed by Mr. Barry ought not to be sanctioned; but the second Committee allowed the plan which the right hon. Gentleman declared that he was prepared, with the sanction of the Government, to carry out at less expense, to pass. At the same time, he agreed with his noble Friend (Lord John Manners) in thinking that, in regard to a building which they hoped would be a credit to the country for ages to come, any alterations that were decided upon should be made upon the best skilled authority they could obtain.

MR. BERESFORD HOPE said, having served on the right hon. Member for Newcastle's two House of Commons Arrangements Committees, he claimed for Mr. Barry the credit of originating the idea of utilizing the conference-room, and must deny to the right hon. Gentleman the First Commissioner of Works the title of being the inventor and patentee of it. Mr. Barry's estimate of £24,000 included, besides the new dining-room, a series of extensive changes, which were, in reality, a fragment of the valuable scheme originally propounded by the right hon. Member for Newcastle (Mr. Headlam), and therefore it was not fair to quote that large sum as an argument against the dining-room plan propounded by the eminent architect in question. A Committee, which was wrong in its measurements by as much as 30 feet, had hastily recommended the carrying out, at a smaller expense, of an arrangement which would produce a most uncomfortable eating-house, and spoil the architecture of the building; but there was still time to remedy the mischief. He trusted the right hon. Gentleman would yield to the unanimous expression of opinion on both sides of the House and withdraw the present scheme.

MR. GOLDNEY said, he did not concur in that wish. He hoped that hon.

*Lord John Manners*



Members, who had been complaining for years of the want of accommodation, would act on the unanimous recommendation of a Committee, to whom the matter had been referred.

MR. ALDERMAN LUSK said, he hoped the House would put a stop to interminable discussions on the subject. He was sick of hearing so much about architects. He would support the scheme proposed by the Office of Works.

MR. AYRTON said, that in regard to the serving from the kitchen, this scheme would challenge comparison with any other, for the communication would be in the centre of the room, instead of at one end.

MR. BENTINCK said, that, according to the right hon. Gentleman's own plan, the kitchen was 90 feet from the lift. He understood Mr. Barry's plan would afford a room very similar to that at the Reform Club; so that hon. Members who belonged to that club could readily form an idea of what convenience the proposed room was likely to afford.

Question put, and *negatived*.

Original Question put, and *agreed to*.

(2.) £21,674, to complete the sum for Royal Palaces.

(3.) £80,437, to complete the sum for Royal Parks.

LORD JOHN MANNERS said, that two years ago it was proposed to replace the wooden paling in Regent's Park by an iron railing, and now it was proposed to pull down the iron railing, so that the result would be that the Park would be left without any railing at all. He would suggest that it might be as well to allow the iron railing to remain round the particular enclosure where it now stood, even if the right hon. Gentleman should not think it necessary to continue a similar railing round other enclosures.

MR. COWPER-TEMPLE said, he wished to ask whether it was contemplated to cut down any trees in the vicinity of those trees which the intervention of the House had prevented from being cut down?

MR. BOWRING called attention to a promise made by the First Commissioner of Works last Session to improve the present desolate appearance of the north side of Kensington Gardens by fresh planting, and further pointed out

the desirability of placing more drinking fountains in the public Parks for the use of the poorer classes.

MR. ALDERMAN LUSK said, that to have plenty of water to drink was a good thing; but there was a proposal last year to establish a beer-shop in Victoria Park, and that he protested against. He hoped the First Commissioner would not allow such a thing.

MR. AYRTON said, with respect to the iron railing in Regent's Park, it was found that £35,000 would be required to complete it entirely, and as the general feeling among the residents in Regent's Park was in favour of the old rustic wood paling, he thought it better not to complete the iron railing for the small enclosure, as to do that would have cost £2,500, but to restore the wooden paling at an expense of £100. With regard to the trees in Hyde Park which had been alluded to, one plan proposed was to have no trees in the neighbourhood of the Prince Consort's memorial, so that it might stand out plainly, and be seen in all its beauty. That was the idea of a committee of architects, who had considered the subject; but as it might not seem satisfactory to those who looked at the matter from a horticultural point of view, a compromise was come to—it was arranged that only a sufficient number of trees should be removed to allow of the public seeing the memorial. No one would desire such an outrage on common sense perpetrated as that that magnificent work should be obscured by plantations of trees, and it was, therefore, proposed to remove those trees which stood in the way of a view of the memorial. The exact details of the plan had not yet been settled; but the greatest care would be taken to add to the general effect of the monument; and the trees would be replanted in close proximity to their present site. With regard to the north side of the Park, he could not hold out any hope of large expenditure at present, while he was dealing with the south side, which required it more; but he was quite ready to admit that the fountains ought to be sufficiently supplied with water, and if there was any deficiency in that respect, he would do what he could to meet the public requirements. As to beer, he thought its sale within the Park was not a thing to be desired. People who wanted it might go out of the Park to get it.

MR. WHEELHOUSE said, he would suggest that the number of fountains in the Parks might well be increased. The visitors at present complained that they were frequently unable to obtain a drink of cold water.

MR. BERESFORD HOPE said, he wished to know what had become of the colonnade removed from Burlington House? It was understood that it would be re-erected on some suitable spot as a public decoration.

MR. AYRTON said, that he believed the colonnade—or more accurately the gateway—in question existed—at least the remains or ruins of it—somewhere in Battersea Park. He had no present intention of disturbing them. If the hon. Member (Mr. Beresford Hope) would only mind what was written upon it when the gateway was first put up, he would not be so anxious to have it re-erected, at least in any place where it could be seen.

MR. BERESFORD HOPE said, he hoped that the First Commissioner would promise that the colonnade would not at any rate be broken up to repair the roads. The right hon. Gentleman was quite mistaken in calling it a gateway, and was evidently ignorant of the understanding come to at the time when Burlington House was pulled down. The colonnade was specially exempted from the sale of building materials, and it was most undoubtedly the intention of Mr. Layard, who had more than once spoken to him about it, that it should be re-erected. He hoped the First Commissioner would give him some assurance that the colonnade should be preserved.

MR. AYRTON: No steps shall be taken to destroy whatever is remaining of it.

*Vote agreed to.*

(4.) £83,807, to complete the sum for Public Buildings.

(5.) £11,700, to complete the sum for Furniture of Public Offices.

(6.) £22,587, to complete the sum for the Houses of Parliament.

MR. A. GUEST said, he wished to know whether the decoration of the Central Hall would be continued and finished in the same style in which it had been begun?

MR. WHITWELL said, he wished to ask, whether a better system of ventilating the House could not be secured by

opening more of the windows above? During the last fortnight almost every hon. Member had suffered extremely from the heated air whenever the House was full; and there was no medium between the oppressive atmosphere on the floor of the House and the strong currents of air that were being continually forced through the galleries.

MR. BOWRING said, the item of gas and fuel for the two Houses showed a very large increase, which required explanation.

MR. AYRTON said, with regard to the Central Hall, after the first mosaic was placed in, it became necessary to consider the question of cost and of the general effect of extending that system of decoration. It was evident that mosaics could only be mechanical copies of the works of others; whereas the strongest opinions had been expressed that the embellishment of the Houses of Parliament ought to be made a means of encouraging original work of art of the highest order. The Royal Commissioners, also, had unequivocally condemned the adoption of any glazed surface in the ornamentation of the Palace. He had, therefore, invited the artists who had already taken part in decorating the walls to meet and examine all the Reports of the Royal Commissioners, and to give him the benefit of their views upon the subject, among these artists being Mr. Poynter, the gentleman by whom the design for the mosaic had been painted. Those gentlemen unanimously concurred in thinking that it was not desirable to continue the system of mosaic decoration, at all events until a number of professional points which they suggested had been thoroughly examined and solved to their satisfaction; and to enable them to prosecute their inquiry they asked for certain assistance. The Government approved of that view of the matter, and had sanctioned the requisite expenditure for that purpose; and he thought the Committee would agree with him that it was far better that thoroughly competent artists should deal with this question, than that it should be left to the decision of any Commission, however distinguished its members might be. With regard to the question of gas, no doubt the gas was a great expense; but his Department were exerting themselves to bring it down as low as possible. The question of improved ventilation

*Mr. Ayrton*



would be met by the proposal to increase the number of windows.

MR. A. GUEST said, he wished to understand a little more than he did what were the right hon. Gentleman's views with regard to the mosaic decorations in the Central Hall. If he did not proceed further with these mosaics, would he remove that which already existed; or were they to have mosaics on one side of the Hall and frescoes on the other?

MR. AYRTON said, he would be guided by the opinion of the artists to whom he had referred.

MR. BERESFORD HOPE said, he must ask the right hon. Gentleman to tell the House the name of the artists as an indication of the value of their report? He had already named Mr. Poynter; but who were the others?

MR. NEVILLE-GRENVILLE said, he wished to know whether the plate-glass put in front of some of the frescoes had the effect of preserving them; and, if so, whether it was intended to apply some protection to the other pictures?

MR. AYRTON said, it was intended, whenever it was necessary, to apply glass to the other frescoes. As to the question of the hon. Gentleman opposite (Mr. Beresford Hope), he had not a list of the artists with him, but they had all been concerned in the wall-paintings of the Palace.

MR. CADOGAN said, he wished to call the attention of Her Majesty's Government to the expediency of repaying to the metropolitan police rate from Imperial taxation the amount now paid for the police in charge (internally) of the Houses of Parliament. The rate for the police employed about the building was only £429, while the cost to the public was £3,983. Now if there was any duty that might be called an Imperial duty, it was the protection and preservation of that House, and he protested against the unfairness of so much of the cost being thrown upon local taxation.

MR. AYRTON said, he did not understand the objection of the hon. Member. It was true the House did not pay police rates; but it paid its own police, so that it did the very thing the hon. Gentleman complained of them for not doing. If the hon. Gentleman wished to raise any question on the general incidence of taxation, he must do it when the general police rate was under discussion.

MR. CADOGAN said, he admitted that the House did pay a portion of its policemen; his objection was that it did not pay the whole.

*Vote agreed to.*

(7.) £12,500, to complete the sum for the Public Offices Site.

(8.) £24,083, to complete the sum for the Public Record Repository.

(9.) £4,395, to complete the sum for the Chapter House, Westminster.

MR. GOLDNEY said, he wished for an explanation. There was no contract of the work to be done. The work went on bit by bit, and no party seemed definitely to have charge of it.

MR. ALDERMAN LUSK said, he had over and over again called attention to this Vote. He wanted to know when the work was to stop, and what was to be done with the building when finished?

MR. AYRTON said, he had caused the work to be carefully estimated, and it was found that for the sum of £30,480 the shell of the building would be completed—that is, it would be covered in, and glazed, and made water-tight. But, of course, there would be no decoration. When it had arrived at that stage it would be for the House to consider whether it should continue to be maintained by the public or be handed over to some public body.

*Vote agreed to.*

(10.) £10,067, to complete the sum for Sheriff Court Houses, Scotland.

(11.) £11,200, to complete the sum for the University of London Buildings.

(12.) £13,250, to complete the sum for Glasgow University Buildings.

(13.) £6,500, to complete the sum for the Extension of Industrial Museum, Edinburgh.

(14.) £36,000, to complete the sum for Burlington House.

MR. GOLDNEY said, the Vote had been increased by £15,000 from last year, in consequence of further purchases. He wished to know whether any more purchases would be required?

MR. AYRTON said, the purchase in question had been made as the best mode of treating the difficulties which arose, claims having been made for obstructing lights, and so forth. That was the only purchase necessary, and it

was in the hands of the Crown, and would be turned to good account.

*Vote agreed to.*

(15.) £101,648, to complete the sum for the Post Office and Inland Revenue Buildings.

(16.) £9,774, to complete the sum for the British Museum Buildings.

MR. GOLDNEY said, he wished to ask how far it was necessary, considering how valuable the space in such a quarter was, that the officers of the Museum should live within the area of the building? They might easily live on the opposite side of the street.

MR. MACFIE said, he would suggest that the stores contained in the Museum which had never yet, for want of accommodation, been exhibited to the public, might be advantageously lent to the different Universities of the three kingdoms, and to the large towns of the country.

MR. AYRTON said, these were questions relating to the administration of the British Museum, which could be better discussed on the British Museum Vote. He agreed that the less the number of residents on the site, the less risk there would be to the contents.

*Vote agreed to.*

(17.) £40,762, to complete the sum for County Courts, Buildings.

(18.) £80,100, to complete the sum for Survey of the United Kingdom.

MR. ALDERMAN LUSK said, he wished to know when the survey would come to an end?

MR. STEVENSON said, he thought that greater facilities should be given to the public for the purchase of the Ordnance Survey maps.

MR. NEVILLE-GRENVILLE said, the surveys were made on an arbitrary principle, some districts being considerably favoured, while others were neglected, and he should like some information as to how they were managed.

THE CHANCELLOR OF THE EXCHEQUER said, the surveys were not so well managed as they might have been under the Army; but they had now been transferred to the Office of Works, and it was hoped they would now be better managed.

MR. GOLDNEY said, the survey was unnecessary, as there was already a map of the whole of England showing every

field made for the tithe survey. The money the surveys cost was a very large amount, and a private map-maker would do the work for half the sum with quite as much accuracy, considering that the important part of the work was finished, and that all that remained to be done was the enlargement and reducing of maps.

MR. WREN - HOSKYNs said, he hoped the six-inch map would be completed, as it was of great service for agricultural and other purposes. While Ireland and Scotland had been mapped on the six-inch scale, the interior part of England had not been surveyed.

MR. MILLER said, the public found difficulty in purchasing the maps, and he thought that greater facilities should be given for their sale.

MR. AYRTON said, the survey had been very expensive, costing about £1,500,000 in 10 years; but the maps produced had been of very great value. The subject would be considered during the Recess, and he should be able to state next Session the exact mode of proceeding.

*Vote agreed to.*

(19.) £7,600, Enlargement of Marlborough House.

(20.) £28,199, to complete the sum for Harbours, &c. under the Board of Trade.

(21.) £2,380, to complete the sum for Portland Harbour.

(22.) £6,500, to complete the sum for the Metropolitan Fire Brigade.

(23.) £23,913, to complete the sum for Rates on Government Property.

(24.) Motion made, and Question proposed,

"That a sum, not exceeding £99,542, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Erection, Repairs, and Maintenance of the several Public Buildings in the Department of the Commissioners of Public Works in Ireland."

MR. McLAREN said, he must take exception to the largeness of the sum.

MR. STANSFELD said, that the Vote had been framed as economically as possible.

Motion made, and Question proposed,

"That a sum, not exceeding £97,542, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come

*Mr. Ayrton*



in course of payment during the year ending on the 31st day of March 1871, for the Erection, Repairs, and Maintenance of the several Public Buildings in the Department of the Commissioners of Public Works in Ireland."—(*Mr. Lusk.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(25.) £3,500, to complete the sum for the Ulster Canal.

(26.) £10,010, to complete the sum for Lighthouses Abroad.

(27.) £1,722, to complete the sum for Embassy Houses Abroad.

MR. RYLANDS said, he must complain of the great expense of keeping up that at Paris, though he admitted that it was less than during the last two or three years.

MR. AYRTON said, that the whole matter was examined by a Committee last year, and the expenditure was declared to be satisfactory.

*Vote agreed to.*

(28.) £41,610, to complete the sum for Embassy Houses, &c., Constantinople, China, Japan, and Tehran.

MR. RYLANDS said, that since 1840 the Embassy Houses at Pera had cost about £200,000 for building alone, independently of several thousands a year for repairs.

MR. ALDERMAN LUSK said, there was no explanation as to the £48,000 asked for China and Japan.

MR. STANSFELD said, that a statement upon the subject had been laid upon the Table.

MR. CANDLISH said, he regretted that the house at Constantinople had not been entirely destroyed. He hoped that it would not be determined to rebuild it without consulting Parliament.

MR. R. N. FOWLER asked whether it was insured?

THE CHANCELLOR OF THE EXCHEQUER said, it was not. He might add that the site was one which had the advantage of very cool air. They had sent Major Crawson to Constantinople, and he reported that the walls of the building were almost entire. Of course, they would have come to the House if they determined to rebuild.

*Vote agreed to.*

(29.) Motion made, and Question proposed,

"That a sum, not exceeding £4,231, be granted to Her Majesty, to complete the sum necessary to

defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."

MR. RYLANDS said, he would move the reduction of the Vote by the sum of £1,562 for Queen's Plates.

Motion made, and Question proposed,

"That the Item of £1,562 for Queen's Plates, be omitted from the proposed Vote."—(*Mr. Rylands.*)

MR. SHERLOCK said, he thought the Queen's Plates were an institution that should not now be interfered with.

MR. M'LAREN said, that having done away with Queen's Plates in Scotland, he did not see how they could vote money for them in Ireland.

MR. WHITWELL said, he considered that the time had arrived for abolishing mock royalty in Ireland.

MR. ALDERMAN LUSK said, he objected to public money being appropriated for such purposes as horse-racing. He did not believe in the argument that the system improved the breed of horses, for race-horses were only exaggerated greyhounds; while our hunting horses, cattle, and sheep were the finest in the world.

MR. STANSFELD said, he consented on Friday to the omission of the Vote for Queen's Plates in Scotland, in deference to the opinion of the Members for Scotland; but as there had been no demonstration against this Vote on the part of the majority of the Irish Members, he could not consistently consent to reduce it.

MR. GREENE said, he would remind the House that many of our best horses came from Ireland.

VISCOUNT ST. LAWRENCE said, as an Irish Member, he considered that Vote worthy of the support of the House. Nearly the whole of the cavalry was supplied with horses by Ireland.

SIR PATRICK O'BRIEN said, he would support the Vote, and must observe that the opposition would be regarded by many persons in Ireland as a fling at that country.

Question put.

The Committee *divided*:—Ayes 61; Noes 81: Majority 20.

Original Question put, and *agreed to.*

(30.) Motion made, and Question proposed,

"That a sum, not exceeding £17,746, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and Subordinate Departments."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir James Elphinstone.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(31.) £250, to complete the sum for Boundary Survey, Ireland.

(32.) £43, to complete the sum for the Charitable Donations and Bequests Office, Ireland.

(33.) £13,130, to complete the sum for the General Register Office, Ireland.

(34.) £65,522, to complete the sum for the Poor Law Commission, Ireland.

(35.) £2,992, to complete the sum for the Public Record Office, Ireland, &c.

(36.) Motion made, and Question proposed,

"That a sum, not exceeding £17,730, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of Public Works in Ireland."

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £16,530, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Office of Public Works in Ireland."—(*Mr. Bentinck.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow*, at Two of the clock;

Committee to sit again *To-morrow*, at Two of the clock.

#### SUPPLY.—REPORT.

Resolutions [July 21, 22] *reported.*

On the Vote relating to Friendly Societies,

MR. STANSFELD said, it was expected that the Assistant Solicitor to the Treasury would be employed in discharging the duties of this office pro-

visionally for at least 12 months; he therefore proposed that they should reduce the Vote by £400 for his salary, one-half the Estimate made on the presumption that the office would be promptly refilled.

First Resolution read a second time, and amended, by leaving out "£1,794," and inserting "£1,394," instead thereof.

Resolution, as amended, *agreed to.*

Subsequent Resolutions *agreed to.*

#### PETTY SESSIONS CLERKS (IRELAND) ACT (1858) AMENDMENT BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to amend the Petty Sessions Clerks (Ireland) Act (1858), *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 236.]

#### CENSUS (IRELAND) BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill for taking the Census of Ireland, *ordered* to be brought in by Mr. CHICHESTER FORTESCUE, Mr. Secretary BRUCE, and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 237.]

#### SHANNON NAVIGATION BILL.

Select Committee *nominated*:—Mr. STANSFELD, Mr. WILLIAM GREGORY, and Three Members to be appointed by the Committee of Selection:—Three to be the quorum.

House adjourned at a quarter after Two o'clock.

## HOUSE OF LORDS,

*Tuesday, 26th July, 1870.*

MINUTES.]—PUBLIC BILLS—*First Reading*—

Greenwich Hospital\* (244).

*Second Reading*—Clerical Disabilities (210); Absconding Debtors (214); Army Enlistment (236); Sheriffs (Scotland) Act (1853) Amendment, &c.\* (243).

Committee—Settled Estates (191-245); Wages Arrestment Limitation (Scotland)\* (192); Juries\* (213-246).

*Third Reading*—Sugar Duties (Isle of Man)\* (209); Stamp Duty on Leases\* (148); Exchequer Bonds (£1,300,000)\*; Paupers Conveyance (Expenses)\* (208), and *passed.*

#### FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY.—QUESTION.

LORD CAIRNS: My Lords, I think it right to call attention to a statement which I understand has been made



"elsewhere," respecting a document which has excited great public interest, and which was referred to in this House last night. I have no right to ask a Question on the subject, as I have given no Notice to put one; but if the noble Earl opposite (Earl Granville) is in a position to communicate to your Lordships the information which I believe has been given to-day "elsewhere," your Lordships would be glad to receive it.

EARL GRANVILLE: My Lords, I have received a telegram this morning from Lord Augustus Loftus, stating that yesterday afternoon the attention of Count Bismarck was called to the matter, and that the official paper of this morning contains the text of a draft Treaty such as that which your Lordships read in *The Times* yesterday; and adding that it was stated that the Minute of the Treaty is entirely in the handwriting of M. Benedetti. Having said thus much, perhaps your Lordships will allow me to state that I have seen the French Ambassador, M. de Lavalette, within the last hour. I have made the following notes of what occurred, and your Lordships will perhaps permit me to read them to the House:—M. de Lavalette called on me, and the conversation turned at once upon the draft Treaty. He told me that now that war had been declared between France and Prussia, there only remained for him two objects in his post here. These were to maintain intimate relations between the two Governments, and to preserve the friendly feelings, the growth of late years, between the two nations. The plan contained in the alleged draft Treaty, published in *The Times* of yesterday, was one which had been originated by M. de Bismarck, had been the subject of some conversation with M. Benedetti, but it never had any serious basis, and was rejected by both parties. M. de Lavalette went on to say that the Government of the Emperor had absolutely respected the neutrality of Belgium, even when there was reason to complain of its conduct—that during the last month the Emperor had made a declaration of neutrality to the Belgian Government, which had also been communicated by M. de Gramont to Lord Lyons, and which, M. de Lavalette said, I must know was absolutely binding on the honour of His

Imperial Majesty—unless, indeed, the neutrality was violated by the other belligerent.

# CLERICAL DISABILITIES BILL.

(*The Lord Houghton.*)

(NO. 210.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD HOUGHTON, in moving that the Bill be now read the second time said, the object of the measure, which had met with very slight opposition in the other House, was to enable clergymen of the Church of England to relinquish all rights, privileges, advantages, and exemptions attached to the office of minister in the Church; and under certain conditions to resume them. This was not the first time the subject had been brought under the consideration of the Legislature. As long ago as 1862 the subject was discussed by a Committee of the House of Commons, of which Committee he (Lord Houghton) had the honour to be a Member. By that Committee some conclusions had been approached, but none were quite arrived at, owing to difficulties which then prevailed in public opinion on the subject. Ordination was regarded as a sacrament by the Church of Rome, as well as, he believed, by the Greek Church; but the Fifth Article of the Church of England took a different view, and the very canon which the Bill sought to repeal treated the indelibility of Orders as a question merely of discipline. It was true that a respectable section of the Church took a different view, but Luther and Calvin might be quoted against them. The proposed mode of relinquishing the clerical status was that the clergyman, after having resigned the preferments held by him in the Church should execute a deed of relinquishment, to be enrolled in the Court of Chancery, an office copy of it being delivered to the Bishop of the diocese in which he last held preferment, and by notice to the Archbishop. At the expiration of six months a person who had complied with these conditions would become to all intents and purposes a layman. He trusted that this principle would be acceptable to the House, for it could not be to the advantage of the Church to retain unwilling members, who could not conscientiously perform their duties,

and were likely to be a scandal rather than a benefit to it. Not that the large proportion of those whom the Bill would relieve were likely to occasion scandal, for there were men of great eminence who had abandoned the clerical calling, but were under a great social disadvantage and were debarred from the performance of other duties. The Bill would allow them to become members of municipal bodies and of the House of Commons, a provision which might not in itself be very advantageous; but it would be difficult to show upon what principle clergymen of the Church of England were excluded, seeing that Dissenting ministers were eligible. Indeed, in the course of his own experience in the House of Commons he had known many Dissenting ministers in that House, who were not only very useful Members, but he had remarked the invariable respect with which they were treated. The Bill, however, did not affect Roman Catholic priests, whose disqualification being connected with the Emancipation Act might be mixed up with political considerations, and had better therefore be treated separately. The latter part of the Bill enabled a person, under certain conditions, to resume his status as a minister of the Church of England on executing a deed of revocation, if the Archbishop chose to re-admit him; but he would not be capable of holding any preferment until two years after such revocation. Now, he admitted the undesirableness of persons becoming by turns clergymen and laymen; but there would be a hardship in disabling a man who had relinquished the clerical status from ever resuming it; for, in a recent case, a clergyman who joined the Church of Rome, thereby losing his sacerdotal status, as that Church did not recognize English Orders, had returned to the Church of England. He did not, however, consider this a very material point to insist on, although the mental struggles and experience of such a clergyman might be of great service to the Church if he were re-admitted.

*Moved*, "That the Bill be now read 2<sup>d</sup>."  
—(*The Lord Houghton*.)

THE BISHOP OF LONDON said, it would probably make very little difference to the future of the Church of England whether the Bill were passed or rejected. If it had interfered with the

indelibility of Orders, it would have been viewed with great dislike by a large number of its members; but it simply removed the disabilities, mostly imposed by statute law, for secular employments. Seeing that men who had been ordained might afterwards make the terrible discovery that they had mistaken their calling, and that they were unfitted for it by abilities, acquirements, or habits of life, it might possibly be to the advantage of the Church that they should be relieved from their sacred duties and betake themselves to other callings. Occasionally, doubtless, men of a higher class, owing to intellectual difficulties or hesitation in accepting particular doctrines, wished to be relieved from obligations they could no longer fulfil. The Bill, on the other hand, would diminish, to a certain extent, the caution with which such obligations should be undertaken; for if a man might regard Holy Orders as a mere experiment, to be renounced, perhaps, after two or three years, he might deceive himself and take the most solemn of all vows in an unsuitable frame of mind. There was thus a danger of the introduction of a lower class of minds into the Church. The difficulties on both sides were not enough to oblige him to oppose the Bill, but would console him if the House should not think proper to pass it. He objected to the power given for resuming the clerical status; for though men of high character, ability, and goodness had left the ranks of the Church and had afterwards desired to return to it, there had been no difficulty in the way; nor would any arise under this Bill unless, in order to enter some trade or profession, they had executed a deed of relinquishment. It was not desirable that persons who had entered the Church as an experiment, and had afterwards failed in secular occupations, should be allowed, under the influence of a fresh disappointment, to re-enter the Church as, after all, the best mode of getting a living. It was true that the Bishop's or Archbishop's sanction would be required; but in all such cases the friends of the applicant would testify to his character and exert a moral pressure which it would be difficult to resist. In his opinion clergymen who had once abandoned their sacred character in order to pursue some other calling, should not, in the interest of the Church, be per-

*Lord Houghton*



mitted to return. With this view when the Bill got into Committee he should move the omission of the clauses which gave that permission.

Motion *agreed to*; Bill read 2<sup>a</sup> accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

#### SETTLED ESTATES BILL—(No. 191.)

(*The Earl of Airlie.*)

COMMITTEE.

House in Committee (according to Order).

LORD REDESDALE observed that the amount proposed by the noble Earl opposite (the Earl of Airlie) to be charged for carrying out certain improvements at the cost of the estate was equal to three years' rental. He had, however, ascertained that, so far as Scotland was concerned, two years' rental only was allowed. He thought that the charge should be based upon the rateable value of the estate, and not upon the rental, in order that the net value might be determined, and that jointures and other charges should be deducted therefrom. He contended that a private Act of Parliament was the better process, and condemned the tendency to charge everything on the inheritance, the tenant for life bearing no burden himself.

THE EARL OF AIRLIE was understood to have no objection to the two years' rental as in Scotland. The Bill had for its main object the improvement of small estates, that could not afford to spend much money in obtaining Parliamentary powers; and he further objected to the intervention of the Court of Chancery, as suggested on a former occasion by a noble and learned Lord, as a tribunal associated with delay and expense; he hoped any Lordships would not introduce any provision which might tend to embarrass the operation of the principle of the measure.

Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 245.)

#### ABSCONDING DEBTORS BILL,

(*The Lord Penzance.*)

(NO. 214.) SECOND READING.

Order of the Day for the Second Reading, read.

VOL. CCIII. [THIRD SERIES.]

LORD PENZANCE, in moving that the Bill be now read the second time, said, that in the present state of the law, in the case of a debtor owing not less than £50 he could be made a bankrupt; but he must first receive a debtor summons which, in the case of a trader, was not returnable until the expiry of seven days, and, in the case of a non-trader, 21 days. This gave ample opportunity for a dishonest debtor to abscond, and the laws now in force for the arrest of such absconding debtors were insufficient. It was to put an end to this state of this state of things that the present Bill was introduced, and though the machinery was cumbrous, yet if their Lordships chose to read the Bill a second time, the machinery might be simplified in Committee.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Penzance.*)

THE LORD CHANCELLOR said, he did not intend to oppose the second reading of the Bill; but it was a measure which would require very grave consideration before their Lordships assented to it. The Bill was far too coercive in its present shape, and gave very great power to one creditor who wished to obtain an advantage over the others. There were many difficulties in the measure; but possibly his noble and learned Friend might be able to meet them when the Bill was considered in Committee.

Motion *agreed to*; Bill read 2<sup>a</sup> and *committed* to a Committee of the Whole House on *Thursday* next.

#### ARMY ENLISTMENT BILL—(No. 236.)

(*The Lord Northbrook.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD NORTHBROOK, in moving that the Bill be now read the second time, said, that the object of the measure was to extend the area of recruiting by shortening the period of service, and to establish a Reserve Force, which might be called into active service in a time of emergency. For this purpose the 2nd and 3rd clauses provided that no person should be enlisted for a longer period than 12 years; and that the enlistment may be for the whole of that period in Army service, or for a portion of it, to

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be fixed from time to time by the Secretary of State, and specified in the attestation paper in Army service, and for the residue of the period in the first-class Reserve Force, as established under the Act of 1867. The way in which the power would, in practice, be exercised, would be that a soldier would be enlisted for a term of 12 years, six of which would be for the Army, and six for the first-class Army Reserve. This scheme of enlistment was intended to apply to the infantry only, and not to the cavalry and artillery. By the 4th clause power was given to the Secretary of State, either by general or special regulations—but in both cases with the soldier's free consent—to vary the conditions of service, so as to permit a soldier who might have served three years on Army service, either to enter the Reserve at once for the unexpired residue of his term of 12 years, or to extend his Army service to the whole term. The object of the provision was two-fold. It was proposed, in the first place, in the interest of the men, so that if at any time it should be found necessary to make reductions in the Army, there might be a power to allow the men who might be discharged to enter the Reserve, the Crown having now power to dispense at any time with the services of those soldiers without any such advantages being given to them. The provision was intended also to meet the case of regiments ordered abroad with which it might be inconvenient to send out men who had only a short time to serve. There was another important change proposed by the Bill. At present, in accordance with the Acts in force with respect to the Army and Militia Reserves, there was no power by which we could avail ourselves of the services of the men who had enlisted in those Reserves except in time of war. It was therefore proposed to adopt the words of the Royal Naval Reserve Act and to enable Her Majesty to call upon those Reserves to serve in the case of imminent national danger or of great emergency. He hoped that under the operation of the Bill the numbers of the Army Reserve would be largely increased. The reason why he entertained that hope was that the inducements held out when the Army Reserve Act of 1867 was passed were not sufficient to lead men to enter the service. Those inducements were

2*d.* a day and certain conditions with respect to pension. The inducements which, however, it was now proposed to hold out would be considerably greater. Instead of 2*d.*, the men would receive 4*d.* a day. Men who had enlisted in the Reserves under the existing, or any former Act, and desired to take advantage of the provisions of the Bill to enter the Army Reserve, would be allowed to do so. With respect to pension, no pension would be given to men for service in the Reserve unless called upon to join the Army, in which event they would be entitled to count their time in the Reserve for good-conduct pay and pension, and enjoy the same advantages as a man who had passed the whole time in Army service. Men would readily, he thought, be found to take service in the Army Reserve under those conditions. The Commission on Recruiting in 1867 reported in very strong language that men were rather inveigled into the Army than induced to enter it by the reasonable prospects of the service. The late Government, acting on that Report, had made considerable alterations in the system of recruiting. They were now acting on the principle of dealing with the men as reasonable beings, and the result had been very successful. In the last Report of the Inspector General of Recruiting it was stated that out of 8,000 men who had enlisted during the whole year only seven had deserted on their way to join their respective regiments, although the old practice of sending recruits to their regiments under escort had been abandoned. That showed the good effect of giving them a reasonable knowledge of the prospects which they had before them. Since the abolition of bounty, which had been recommended by every man who had the real welfare of the soldier at heart, it had been found that there had been no unwillingness on the part of men to come forward and enter the service. He was of opinion, therefore, that it might be reasonably expected that the additional inducements which were held out by the present Bill would bring back to the Army Reserve a very large number of men who had already served in the Army, but who had taken their discharge at the end of the term of their engagement. Thus, if successful—which the military authorities regarded it as



very likely to be—the result of the measure would be to give us a very valuable additional force of trained men, whose services in case of emergency would be at once available. He had now to inform their Lordships how that part of the Bill which was new was likely to work as respected the existing system of enlistment and re-engagement. All the advantages with respect to pensions to men who remained in the service 21 years or more, and who constituted a valuable portion of our Army, would remain the same as at present. Under the 3rd clause enlistments might still be made for the old period of 12 years in the Army, and the 9th clause provided that a good soldier, whom it was desirable to retain in the ranks, might be re-engaged for a further period, to complete 21 years as at present. Lastly, the Bill retained the existing rule as to soldiers who had served for 21 years being allowed, with the consent of their commanding officers, to serve for a further period. In the year 1847 the Duke of Wellington gave a strong support to the Limited Enlistment Bill then introduced, and the arguments he urged in its favour were equally applicable to the measure now under discussion. It was satisfactory to find that the anticipations entertained in 1847 that a large proportion of old soldiers would still elect to remain in the service had been entirely realized. The Commission on Recruiting, to which he had already referred, went into this question with great care, and it was shown by figures that the soldiers re-engaging between 30 and 40 years of age were 182 per 1,000 before the Limited Enlistment Act was passed, whereas in 1866, after that measure had come into full operation, the number had risen to 225 per 1,000. This Bill, he might remark, was not a hasty production. The subject had occupied the thoughts of his right hon. Friend the Secretary of State for War from the time when he first assumed the seals of Office—and, indeed, he had several times shadowed forth the scheme embodied in the Bill. His right hon. Friend had sought the advice of the illustrious Duke on the cross-Benches in regard to it, besides obtaining all the legal assistance at his command. The Bill had been deliberately framed in a most cautious spirit, with the intention not of rashly interfering with the present system, but

of supplementing it by a shorter term of enlistment. If the Bill were successful, it would, he felt assured, add very considerably to the military strength of this country; while if, unfortunately, the anticipations he entertained as to its success should not be realized, we should only be in precisely the same position which we at present occupied.

*Moved*, “That the Bill be now read 2<sup>a</sup>.”  
—(*The Lord Northbrook.*)

THE DUKE OF CAMBRIDGE: My Lords, I have no hesitation in supporting this Bill, because I feel that this is a tentative measure, and will not deprive us of those means on which we have hitherto relied for recruiting the Army. But although the Bill does not alter the existing system of recruiting, it will largely increase its area, being framed in a spirit which will be most advantageous to the persons desirous of enlisting in the Army, and will also add greatly to our means of creating a Reserve Force. While, on the one hand, all who understand military matters rejoice to see the old soldiers remain in the service, yet it cannot be denied that the expense of keeping up a large Army in time of peace would be so great as seriously to affect the finances of the country. It is essential, therefore, to maintain in time of peace a Reserve force which can be made available in case of any emergency. Up to the present time our system of Reserve has been confined entirely to the Militia, which is no doubt a most valuable Reserve; but, on the other hand, the Militia is not exactly the sort of Reserve we wish to have. We desire to be in a position to fill up the *cadres* of the regiments rapidly in the event of war. If, however, we took men directly from the Militia, we should certainly destroy the Militia regiments—a result much to be deprecated. Therefore, if we can obtain a Reserve without destroying the Militia regiments a great advantage will be gained. The scheme embodied in the Bill will enable us to obtain two Reserves—one a direct Reserve from the Army, and the other an indirect Reserve from the Militia; while, at the same time, we shall maintain the efficiency of the Militia. There are two or three points which my noble Friend the Under Secretary for War has referred to, and which, I think, were not

quite understood when this Bill was under consideration in the other House. It was there assumed that under these arrangements the cavalry and artillery, like the infantry, would be enlisted for short periods of service; but this will not be the case, as the Bill is specially applicable to the infantry. It has likewise been assumed that the men may enlist for 12 years, three only of which are to be spent in the Army and nine in the Reserve. The real intention, however, is to enlist men for six years' service in the Army and six in the Reserve; but, at the same time, there is a power of discharging men into the Reserve at the expiration of three years, in the event of its being necessary or expedient at any time to reduce the regular Army. Taking into account the fact that the old system of recruiting will not be interfered with, I think I may safely recommend your Lordships to adopt the Bill, which I hope will prove advantageous to the service. The only point on which I have doubts is, as to whether men will freely come forward to enlist for so short a period of service; but I hope no difficulty will arise on that point. In other countries a man never ceases to be connected with civil life; whereas here, when a man enlists his connection with civil life entirely ceases. Under this Act it may be that a change will take place, and if it should happen that men are found ready to enlist with the idea of returning to civil life after a short time, it will be a very great advantage; but my impression is that it will always be found easier to obtain men for a longer period than for a shorter one. If I am right in this, the Bill will not in the least interfere with such an arrangement; and if, on the other hand, I am wrong, as my noble Friend the Under Secretary thinks, and we get the men, I shall feel very much gratified at such a result, being perfectly aware that we should always keep a sufficient number of older soldiers to season our regiments with—that valuable description of men who are by all authorities acknowledged to be the life and soul of the Army. I am not aware that I have anything to add to the observations I have made; but I hope I have made it clear to your Lordships that, at all events, there is no risk run in reading this Bill a second time; and, for my own part, I am prepared to strongly urge it on your Lordships.

*The Duke of Cambridge*

EARL GREY: My Lords, it is now, I am sorry to say, many years since I was first officially called upon to consider this subject, and came to the conclusion that in our Army it has proved a great evil that large bodies of our soldiers are enlisted for such long periods, and that it would be of unspeakable advantage to the country that a change in this respect should take place. That change was, to a certain extent, accomplished a good many years ago by my noble Friend (the Earl of Dalhousie) who sits on the other side of the House. A very useful Bill was passed by him, when he was Secretary at War, through the House of Commons, and I myself had charge of it when it came up to this House. But I fear that in that Bill, as in the present one, sufficient importance was not attached to the great object of creating a large and effective Reserve in connection with the regular Army. My Lords, you must remember that the great changes which have taken place in the world within the last 30 or 40 years have altered the whole circumstances of the case. We can no longer consider ourselves safe if we content ourselves with a moderate-sized Army, to be raised by degrees, and after a considerable lapse of time, when war breaks out to sufficient proportions to meet the emergency. The facility which modern invention has given to the movement of troops—the alteration in the whole system of warfare itself—must impress upon us all that this country is no longer in a proper state of defence, unless at the very earliest period of the outbreak of war a regular Army of very considerable strength could be put into the field. It is obviously vain to trust to the Militia or Volunteers. They may both be highly valuable in their way, and, with regard to the Volunteers at least, I have no doubt that they are so; but even the staunchest advocates of the Militia admit that it would require six months to put them in a state of war efficiency. But six weeks may not be given us, perhaps hardly six days. In the present state of Europe the real danger is the first week after war has been declared, and during that week I ask the illustrious Duke who has just spoken—I ask any man who has studied this subject—if the Militia would be fit to take the field against the practised troops of Continental countries? The inefficiency as regards the officers alone



is enough to disqualify them; and you cannot have first-class officers for the Militia simply because you do not pay them adequately, and do not employ them in a manner to enable them to look on their duties in a truly professional spirit. They are at best, as compared with regular soldiers, only amateurs. It is vain to say that during the Great War at the beginning of this century the Militia proved of the greatest value, and that with this experience we may rely on the same force to carry us safely through the dangers by which we may hereafter be surrounded. The Militia of those days only arrived at its efficiency after it had been months and even years embodied, and was in truth, in all but name, a part of the regular Army. The circumstances of the present times are altogether different, and a force which can only after long delay be made really available will not now suit our purpose. I say, then, that it is of extreme importance to the safety of the country that there should be a large Reserve in connection with the regular Army; and the only way to accomplish this is to allow soldiers to leave the ranks of the regular Army after a certain time, keeping such a hold on them that you can reckon on them the first week after hostilities have broken out. This would also be accompanied with many other advantages. It would reduce the dead weight of the Army. Under the old system the pensions form an enormous item compared with the expenses of the embodied Army. The reforms I advocate would also have very great moral advantages. The moral evils arising from keeping together large bodies of men for a long period are well known to Army administrators. If soldiers who are to continue in the ranks of the Army are encouraged to marry, their families become an encumbrance with which it is difficult to deal. If not, the evils I have alluded to become most serious; and the best preventive against such a state of things is to insure that a large proportion of the soldiers of our Army should be men serving for only a very few years, and contemplating a return to civil life. I must add that the adoption of the system of greatly restricting the time of active service required from soldiers would be a very incomplete measure, unless it were coupled with arrangements for making the period of service in the Army a

term of apprenticeship to some useful employment. There is no reason why the Army should not be a great industrial school, where men would get the very best training for the various employments of civil life. The training of the Sappers and Miners proves the advantages of such a system, for the men on leaving that corps can always command the very best wages for the kind of work to which they have been trained. I welcome this Bill, therefore—or rather the intended diminution of the period of active service for soldiers, for I doubt whether any Bill was necessary for that purpose, and whether it might not have been better attained without any change in the law—as a small advance in the right direction. I highly approve of the determination of the Government to increase the number of men in the Reserve, and to abridge the period of actual service in the Army. But I cannot help warning your Lordships against the danger of allowing the intended augmentation of the Reserve to be accepted as a reason for the immediate reduction of the present Army. Even if the Bill is successful, it must be a considerable time before a Reserve Force is created—and I fear that we are hardly justified in assuming that the Bill before us will succeed; I am afraid it is intended to provide for introducing a system not sufficiently simple to win the confidence of the soldier so as to create such a Reserve as we require. But even if we were certain that it would prove successful in creating such a Reserve, until we have that Reserve—not on paper but in reality—it is most inexpedient that the ranks of the regular Army should be reduced, for by reducing the ranks of the regular Army you are reducing the source from which the Reserve is to be derived, and must retard its formation for a very considerable time. While you are talking about the 60,000 men you are to have in the Army of Reserve, but of which number we are not likely to have for a long time even one-tenth:—this must not be lost sight of, you have actually reduced the rank and file of your Army by about 20,000 men. The statements which have appeared in the newspapers—which from information that has reached me privately I have reason to believe are not exaggerated—with respect to the state of our Army, go to show that the reductions

that have been effected have brought our regular Army to a state of perilous weakness; while the Army of Reserve, upon the credit of which these reductions have been made, exists only in expectation. Now, it appears to me that, in the present state of Europe, the policy of sacrificing safety for the sake of a slight relief from taxation is most unwise. Let me remind you, my Lords, of the information we have received within the last two days. For some years back a very mischievous notion has prevailed abroad that unless England was immediately and directly affected she would make no sign—that she would not interfere, whatever injustice might be going on in the world; and the notion that we had adopted these doctrines has encouraged other nations to believe that might was the only right; that the interests of the weak could be set aside with impunity, and that the great States of Europe were at liberty at their pleasure to combine for the spoliation of peoples. My Lords, I could not let this Bill pass this stage without raising my protest against the policy which seems to be adopted; and, while I maintain as strongly as my noble Friend opposite the wisdom and advantage of not prolonging too much the time which the soldier spends in the Army, and desire a large and powerful Reserve, I still hold that while this Reserve is being created we should take care not to reduce the number of our rank and file—so that we may be sure our strength will not be too low until we shall have such a Reserve as would be equal to all the emergencies that might arise in our relations with other States.

EARL DE LA WARR said, there could be no doubt that the Bill proposed to confer large powers upon the Secretary of State for War, but thought that after the speech of the illustrious Duke the Commander in Chief there need be no apprehensions of those powers being abused. The powers of the Secretary for War under the existing system of recruiting would not be taken away by the Bill; they would be merely amplified and modified. The Bill would not launch us in the sea of untried experiment; because during the last French war recruits were enlisted for short terms, and even for service during the continuance of the war. He felt satisfied that the Secretary of State had no intention during

this crisis of transferring men who had not served their full term from the Army into the Reserve. On the contrary, the seasoned soldiers would be kept in the Army until peace was restored, in order that they might form a nucleus round which the short service men might be collected. The Bill would popularize the Army, and would inspire a military spirit among the classes whence the recruits were derived. Believing that the Bill would commence a new era in the history of the Army, he should gladly support its second reading.

THE EARL OF LONGFORD said, the Bill appeared to add one more complication to our over-complicated War Office system. It would be satisfactory if the Secretary of State had been able to point out that we had either an Army or a Reserve; but it appeared we had broken up our Army, and that the Reserve did not exist. He believed, as he reminded the House a few weeks ago, that there was not one battalion of infantry or one battery of artillery fit for effective service. Such a state of things could not be regarded as satisfactory by a great people dwelling alongside of powerful nations—especially when we knew them to be capable of declaring war at a very short notice. He believed Her Majesty's Government would have to introduce a larger measure very soon. However, as the illustrious Duke had expressed his satisfaction with the Bill, he hoped he might find it easy to work.

THE EARL OF DALHOUSIE said, he was glad to find the measure received with so much favour by the House, because he believed that it would tend to render our military service more acceptable to those about to enter the Army, and would give our Army the support of a large Reserve Force. The measure did not propose to abrogate in any way the advantages of the present system, but merely to superadd other advantages. First, the men would be enlisted for 12 years, of which they would have to serve six years in the Army and six years in the Reserve. In consequence of the power taken in the Bill by the Secretary of State to draft men into the Reserve after three years' service under the colours it had been sedulously reported that this meant that no man could remain in the Army more than three years. That was a mistake. If it were so he could not support the measure so

*Earl Grey*



cordially as he did, because three years was not a sufficiently long period for a man to be trained properly as a soldier; six years, however, was quite long enough to make a man an efficient soldier; and when after that time he was drafted into the Reserve, he remained competent for active service. The Secretary of State was to have a discretionary power; but, as a rule, the men were to remain six years under the colours, and after that to be drafted into what he trusted would become a *bond fide* Army of Reserve, owing to the better conditions offered by the Secretary of State to men who would take service in the Army. The strong point of the Bill therefore was that it provided for an Army of Reserve by offering inducements to men to enter the Army. But there was another feature in this Bill to which his noble Friend below him (Lord Northbrook) had not alluded, but which he hailed as a great improvement—namely, that every man entering the Army would be enlisted for general service. But that, in order to prevent the breaking up of the regimental system, care was taken that within a limited time—15 months—every man was to be posted to a regiment, and having been so posted he was not to be removed without his own consent. The advantage of the arrangement appeared to him to be this—that if they were called on suddenly to increase their Army service, they could post a large number of men in a particular regiment. That would be better than the old system of volunteering from one regiment to another, than which nothing could be more detrimental to the service generally, for it made up the effective strength of one regiment by crippling the strength of another. What happened at the time of the outbreak of the Crimean War? So many men were taken from the regiment in which he had at one time served—the 79th—for the purpose of filling up the 42nd, which was ordered for service, that the 79th were almost broken up, and great was the inconvenience when, subsequently that regiment also received orders to proceed to the Crimea. He was very happy to find the illustrious Duke Commanding in Chief giving so hearty a support to this measure. That fact would show the public how considerable was the amount of nonsense talked of late about supposed differences be-

tween the Secretary of State and the Horse Guards. They had heard much on that subject, and he thought one of the not least useful services performed by his right hon. Friend the Secretary of State for War was his having defined, for the information of the public, the respective duties of the Secretary of State and the Officer Commanding in Chief. In some of the papers the illustrious Duke at the head of the Army had been charged with foregoing privileges which, in reality, he had never possessed. If the Officer Commanding in Chief had offered to forego those privileges the Secretary of State would have pointed out to him that by the Constitution of this country they had always been vested in the Secretary for War, who was responsible to the country for the manner in which they were exercised; and that though, in some periods of our history, it might have devolved on the Officer at the head of the Horse Guards rather than on the Secretary for War to exercise those privileges, yet the moment we had a Secretary of State to administer the military affairs of the country, that Secretary was the responsible Minister charged with all military acts of the Government, he having at his service the advice of the Commander in Chief. That advice was necessary for the guidance of the Secretary of State, but he was the Minister who was responsible for everything. In defining, as he had done, the nature of his duties, his right hon. Friend had assumed nothing that did not belong to him, and in supporting the Secretary for War in the discharge of his duties the Commander in Chief was not sacrificing any privileges he had ever possessed. He thought this Bill would offer some inducement to officers to join the Reserve. He agreed with the illustrious Duke that the description of Reserve now most required was a Reserve taken from the Army, because, while the Militia constituted our great Reserve, this Reserve was not one to go into the field, but rather one for defence at home when the Army was engaged in warlike operations. He thought this Bill was a good one for the purpose intended, and therefore he gave it his cordial support.

VISCOUNT HARDINGE said, that while he admitted that some change in our recruiting system was necessary, and

that this Bill effected considerable improvements, he would say he could not approve all the provisions of the measure. Short enlistment was a question of very great importance, and it would be well if it were deliberately considered before any absolute rule was adopted. Two Royal Commissions had been appointed to inquire into the subject. Among the witnesses who gave evidence before the Royal Commission presided over by Lord Hotham, and the Royal Commission presided over by the noble Earl who had just spoken (the Earl of Dalhousie), whilst many general officers expressed their opinion that it would not be advisable to return to the system of 21 years' service, very few were found to advocate a system of short enlistment. It must be borne in mind that we had already had short systems. There had been the Windham Act, under which there had been three periods of seven years; but that Act had been allowed to drop because it had not been found to work well. Again, the Army Service Act was passed during the Crimean War, which enabled Her Majesty in Council to enlist men for short periods. It continued in force during the Crimean War, and for two years afterwards; but men were not found willing to recruit under that Act. The real object of the Bill now before their Lordships was to meet the necessity which existed for Reserves. This, he thought, was a thing very much to be desired. At present our Reserves were in a very unsatisfactory state. From a Return laid before Parliament it appeared that the first active Reserve numbered only 2,000. The plan of that Reserve was partly the late Lord Herbert's and partly General Peel's; but its fault was that it did not give the soldier a sufficient retaining fee. The Militia Reserve had amounted to 10,000, but this year another 10,000 had been added to it. He would ask his noble Friend the Under Secretary for War, who on a recent occasion said our Reserves were in a satisfactory state, whether he considered 22,000 men a sufficient number for our Reserve Forces? Our Reserves had been properly described as Reserves on paper. He believed the Militia Reserve proposed by General Peel to be an admirable one. The illustrious Duke (the Duke of Cambridge) had pointed out that if a fourth of the Militia volunteered into the Army

the Militia could be again recruited and no inconvenience would be felt. He would ask his noble Friend the Under Secretary how he proposed to retain the services of the old soldier?—because it appeared that the Secretary for War was to have a *carte blanche*. He could enlist men for six years in the Army, and six years in the Reserve; or he could enlist them for three years in the Army, the rest of the term to be spent in the Reserve. All were agreed that it was very desirable to have a due admixture of old soldiers in the ranks; but how was it proposed to meet the difficulty of having six years' men in India, for very considerable expense would be incurred by sending them home? If it was to be done by volunteering in this country, he thought the difficulty would be increased by the present system of bounty. He also wished his noble Friend the Under Secretary for War to explain why, if the three years' system was not to be applicable to the cavalry, artillery, and engineers, those services were not excepted by the Bill? It would be much better that the Bill should state clearly what was intended, so that anybody could understand it. There had been many writers and speakers on the subject of Army organization; but they all argued it as though the system of France or Prussia could be applied to this country, and as though there could be a conscriptive Army without a conscription. Though he was not particularly charmed with the principle of this Bill, he thought it so important to have a Reserve ready for the hour of need, that he waived all objections in the hope that the new plan of enlistment would not interfere with the existing system, and would not prove detrimental to the service.

LORD NORTHBROOK thanked their Lordships for the support the Bill had received from so many quarters of the highest possible authority. He would now endeavour to answer the various questions that had been asked. With respect to retaining the services of old soldiers, the Bill contained the most ample provisions—the soldier at the commencement of his 12th year of service might be re-engaged for such a term as would make up a total service of 21 years—and even after 21 years' service he might, under certain conditions, be continued in the ranks.



With regard to Indian service, he did not know that any alteration was contemplated.

VISCOUNT HARDINGE said, that what he desired to ask was, how the Government proposed to deal with six years' soldiers who were under orders for India?

LORD NORTHBROOK said, that upon a regiment being ordered to India, men whose term of Army service was within two years of expiring, might be transferred to some other regiment of the same arm, or might, at their option, re-engage for a longer period.

VISCOUNT HARDINGE: Would they be transferred with their consent?

LORD NORTHBROOK: Without their consent if they enlisted under this Bill; but with it if they had enlisted before its passing. This power of transfer was, he thought, reasonable and advantageous. The cavalry, artillery, and engineers were not specifically excluded from the operation of the Bill, because it was thought that the Secretary for War should, at any rate, have the option of allowing such men to join the Army of Reserve, instead of being discharged, in case of a reduction of the Army. As the noble Earl (Earl Grey) who had criticized the present Army organization had left the House, he would not reply to his observations further than to say that if at any future time he desired to challenge the policy of the Government as to their administration of the Army, and to suggest a wiser and better course, he should be prepared to meet the argument of the noble Earl, and to contend that, with the exception of 1856, at no time since the peace of 1816 had the Army, as regarded the defence of this country, been on a sounder or more satisfactory footing. The noble Earl who preceded him in Office (the Earl of Longford) had made some very disparaging remarks; but if the noble Earl thought that the policy of the present Government was one of folly and danger, why had he postponed his attack until this time, and had not made use of many previous opportunities of saying what he would recommend? He asked the noble Earl what was the condition of the Army when he left Office, and in what respect it was stronger and better than at present? The reason for the introduction of this Bill was because there was no real and substantial Army

of Reserve. In stating the objects of the Bill, he had dealt in the gentlest way with the Government of which the noble Earl was a Member; but the plan which that Government offered for creating an Army of Reserve was surely, in some respects, almost a farce; for one class of men were expected to serve in the Reserve for nothing, and it was only because the condition of the Reserve forces was left unsatisfactory that their Lordships were troubled with this Bill. When the noble Earl quitted Office, how many men were in the Reserves who could be called upon to serve the country in time of war? The number was 3,545. When the noble Earl left Office the effective force of infantry at home amounted to 35,500 men. It now numbered 40,500, and the Reserves 21,500. Yet the noble Earl commented on the condition to which the present administration of the War Office had brought the country. As to the artillery, small arms, and reserve ammunition, Sir Henry Storks, who was responsible for that portion of the administration of the Army, had authorized him to say that supplies of all descriptions at no time stood better than they did at present.

THE EARL OF LONGFORD disclaimed any desire to make invidious comparisons between the administration of the late and of the present Government at the War Office.

THE EARL OF FEVERSHAM said, the two noble Earls were by no means singular in their belief that our land forces had been reduced to too low a point. There might be a larger number of regular forces in the country now than there were two years ago; but the noble Lord (Lord Northbrook) overlooked the fact that this result had been attained by withdrawing our troops from the Colonies, and leaving our colonial Empire to its own resources. In case of any unfortunate rupture with a foreign nation, he wished to know what would be the position of that Empire. He thought the noble Lord opposite had not given a very encouraging account of the Reserve Forces. The Army Reserves seemed to be 2,000; the Militia were only 20,000.

LORD NORTHBROOK said, the Reserves capable of being put into the regular Army at any moment numbered 21,908 men.

THE EARL OF FEVERSHAM replied that the regular Army had been reduced by 23,000 men, and therefore the Reserves did not counterbalance this reduction, and the country had not so many men in her service, whether in Reserve or not, as she had when his noble Friend (the Earl of Longford) left Office. Was that a state of things with which the country, or even the Government themselves, ought to be content? He trusted that before Parliament was prorogued some distinct declaration would be made that the military forces of this country would be maintained in a state of efficiency, would be prepared for any emergency, and would be rendered worthy of the honour and power of this country.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Monday* next.

SHERIFFS (SCOTLAND) ACT 1853 AMENDMENT BILL — (No. 243.)

(The Lord Chancellor.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, he would state what it proposed to do in a very few words. Its object was briefly to carry into further effect the provisions of an Act of Parliament — the 16 & 17 *Vict.* c. 92 — by which, so far as related to the jurisdiction of the sheriff, certain counties would be consolidated and united, and some disunited which were now united, and to make provision for the administration of the offices and duties consequential upon the alterations now proposed. He believed his noble and learned Friend (Lord Colonsay) had some objections to make to the proposed details, but no one he thought had made any objection to the principle of the Bill.

LORD COLONSAY said, that he should not make any objection to the principle of the Bill if it was precisely what the noble and learned Lord had stated. He should, on the contrary, rather approve of it, for it carried out the suggestion made by the Royal Commission, of which he had had the honour to be a member. He was not prepared to approve of all

*Lord Northbrook*

the methods adopted to carry out the object of the Bill, but he did not object to the proposed combinations, because while there might be differences of opinion even on the point, he did not think the matter worth discussing. Had the Bill, therefore, been confined to the combining of counties, he would not have had a word to say; but, as a matter of fact, the Bill went a great deal farther. For the information of the noble and learned Lord on the Woolsack, he would mention the subject to which his objections referred. In the first place, he objected to the clause which provided that when a number of counties were united there should be only one sheriff-clerk for all. He could not understand how one sheriff-clerk could perform the duties for five counties. How the sheriff-clerk of Peeblesshire, for instance, could be sheriff clerk for Edinburgh was more than he could understand. Such a proposal appeared to him to be unworkable. He did not object to sheriffs or sheriffs-substitute having jurisdiction over four counties in that way, because the sheriff could fix a limit within which the duties might be exercised. He did object to the proposal with regard to the clerks, who were necessarily local officers. There were also some omissions of consequence in the Bill. No provision was made as to the person who should register the voters. They seemed to have been altogether lost sight of, as well as some other circumstances in connection with the political position of the counties. On these various points he should make some observations when the Bill got into Committee.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Thursday* next.

IRISH LAND BILL.

Report from the Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on one of their amendments to which the Commons have disagreed, read, and agreed to; and a message sent to the Commons to return the said Bill, with amendments and reasons.

House adjourned at a quarter past Eight o'clock, to *Thursday* next, a quarter before Five o'clock.



## HOUSE OF COMMONS,

*Tuesday, 26th July, 1870.*

MINUTES.]—NEW MEMBER SWORN—James Price Gwynne Holford, esquire, *for* Brecknock. SELECT COMMITTEE—*Report*—Army (Colonels) [No. 385].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—R.P.

*Resolutions* [July 25] *reported.*

PUBLIC BILLS—*Second Reading*—Glebe Loans (Ireland) [222].

*Committee*—Matrimonial Causes and Marriage Law (Ireland)\* [223]—R.P.

*Committee—Report*—Census [211]; Factories and Workshops (*re-comm.*)\* [233].

*Report*—Shannon Navigation\* [192-240].

*Considered as amended*—Pedlars' Certificates\* [199]; Turnpike Acts Continuance, &c.\* [125]; Local Government Supplemental (No. 4)\* [226].

*Third Reading*—National Debt\* [213]; Forgery\* [214]; Statute Law Revision\* [215], and *passed.*

The House met at Two of the clock.

## ARMY—FORAGE FOR ALDERSHOT.

## QUESTION.

LORD GEORGE HAMILTON said, he would beg to ask the Secretary of State for War, Whether it is true that a fresh Contract, commencing 21st July, to supply Forage for the Camp at Aldershot, has been given to the firm who were unable to keep their original Contract from the 1st May to 31st October?

MR. CARDWELL said, in reply, that it was true that a firm which had made a previous contract with the Government, with permission, on giving a month's notice, to give it up, had tendered again, and, as it was the lowest tender, the War Office accepted it.

## THE NEW FOREST.—QUESTION.

MR. GOLDNEY said, he wished to ask the Secretary to the Treasury, Whether, pending the consideration of the course to be pursued with reference to the New Forest and other Forests of the Crown, the Treasury will advise the Commissioners of Woods and Forests to abstain during this season from proceeding with additional planting in the New Forest?

MR. STANSFELD said, in reply, that the Government could not take the course suggested by his hon. Friend, because the powers exercised by the

Commissioners of Woods and Forests were statutory powers.

VISCOUNT ENFIELD said, he would beg to ask the Secretary to the Treasury, Whether the inquiry into the condition of the Crown Lands in the New Forest has been completed, and whether there will be any objection to lay such Report upon the Table of the House?

MR. STANSFELD said, in reply, that he had promised that this Report should be dealt with confidentially, and therefore he could not lay it upon the Table.

## ARMY—MARTINI RIFLES.—QUESTION.

COLONEL WILSON-PATTEN said, he would beg to ask the Secretary of State for War, Whether any Report has been made to the Horse Guards or to the War Department of trials made at Aldershot of the Martini as compared with other rifles; and, if so, whether the Report is favourable to the Martini or to any other rifle; and, whether he will place upon the Table a Copy of such Report?

MR. CARDWELL: Sir, I have heard that the general officer commanding at Aldershot instituted a comparative trial between the Henry-Martini rifle and the rifle of a particular inventor, and reported upon it to the Horse Guards; but the trial was not authorized by his Royal Highness, and the Report has not been forwarded to me.

## ARMY ENLISTMENT ACT.—QUESTION.

COLONEL LINDSAY said, he would beg to ask the Secretary of State for War, with reference to his statement on Army Estimates, that "there will be no claim to re-engagement, but it will not be prohibited," Whether the good conduct and healthy soldier will be allowed to re-engage, if he wishes, under the Army Enlistment Act; and to ask for an explanation of the principle of the qualifying test by which the proposal to increase the Capitation Grant to the Officers and Non-commissioned Officers of the Volunteer Service is to be guided, and of the calculation by which the proposed extra Grant would be equal to an additional 5s. per man over the whole force?

MR. CARDWELL: Sir, when a man has engaged to serve six years with the colours and six with the Reserves, he will have no claim to vary the engage-

ment; but if he desires to serve longer, and the military authorities wish to retain him, the two parties may enter into a new engagement, and the soldier may go on for 12 years, and afterwards to 21 years and pension. With regard to the second part of the Question, I have to say that it is proposed to publish Regulations which shall insure that every officer and non-commissioned officer who draws the £2 10s. shall have a thorough acquaintance with, and be able to give instruction in, the drill of a company in all its branches, and such a knowledge of "musketry instruction" as will enable him to conduct the practice of a squad with safety and regularity. £2 10s. to eight officers is equal to 5s. to 80 individuals, but is more advantageous to the corps, as there is a better prospect of the whole being earned. A field officer will be able to earn the increased grant on obtaining a certificate from the inspecting officer of his competency as a field officer.

#### UNITED STATES—THE "ALABAMA" CLAIMS.—QUESTION.

MR. W. M. TORRENS said, he would beg to ask the First Lord of the Treasury, If it is true, as publicly stated, that overtures recently made by the Government of the United States for a resumption of negotiations regarding the Alabama Claims were declined by the late Secretary of State for Foreign Affairs; and to inquire when further Papers on the subject, in continuation of those presented by Command of Her Majesty in February last, will be laid upon the Table?

MR. GLADSTONE, in reply, said, that as regarded the first branch of the Question, he was not aware that statements had been made of the nature to which his hon. Friend referred, though from the Question of his hon. Friend he presumed they must have been so. But, however that might be, the statement was incorrect. Possibly it might have arisen from this circumstance that Lord Clarendon gave an opinion—in which the Government of the United States, through Mr. Secretary Fish, concurred—that there was no advantage in continuing a controversial correspondence in this case. There was no difference of opinion between the two Governments on that point. The position of the question remained as it was before—the same

as it was when the correspondence was last laid before Parliament—namely, that as we had made an offer, and that offer had been declined under the circumstances of which the House was aware some 18 months ago, it now rested with the Government of the United States to make a proposition for the resumption of the negotiations. With regard to the second branch of the Question, he might say that there was no intention on the part of Government to lay any Papers on the Table. There were, in fact, no Papers of the character which were usually laid before that House. But if the United States were to forward any Papers they would be submitted to Parliament.

#### FRANCE AND HOLLAND.—QUESTION.

SIR TOLLEMACHE SINCLAIR said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether his attention has been directed to the statement made in "*The Daily Telegraph*" newspaper of Monday, that the Emperor of the French had held a conversation with two Englishmen, which he authorized them to publish, and in which he stated that Count Bismarck had asked him what compensation France would expect if Germany was to annex Holland; and, whether he believes this statement to be authentic?

MR. OTWAY: Sir, I did see in *The Daily Telegraph* the letter to which the hon. Gentleman refers, and I read it in common with many other very startling statements which appeared in the newspapers of yesterday. I am not aware that my opinion as to the authenticity of this document is more valuable than that of any other Member; but if my hon. Friend is very desirous of hearing it, I hope he will not accuse me of any discourtesy if, under existing circumstances, I abstain from giving it to him.

#### HELIGOLAND PILOTS.—QUESTION.

SIR TOLLEMACHE SINCLAIR said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it would be a breach of neutrality and an infringement of the Royal Proclamation if the Heligoland Pilots should conduct French Men of War to German Ports, or if the Pilots of the Channel Islands were to conduct German Men of War to French Ports, and whether in the event

*Mr. Cardwell*



of any such men of war endeavouring to retain the services of such pilots measures will be taken by Government to prevent them from being so employed; and, whether the Government are disposed to issue Proclamations to this effect in the above named localities to warn pilots against taking employment on board belligerent men of war, as considerable apprehension exists in Germany on this subject?

MR. OTWAY said, with regard to the Question whether it would be an infringement of the Royal Proclamation of neutrality if Heligoland Pilots should conduct French Men of War to German Ports, he apprehended that there could be no doubt that such a proceeding would be a breach of neutrality, and a direct violation of the Royal Proclamation. He presumed that the Question was put under the supposition that the Heligoland pilots did not understand English. If that were the case, it would be desirable to have the Proclamation issued in the German language. He would make inquiries, and all necessary steps would be taken to make those pilots acquainted with the nature of the Royal Proclamation.

#### INDIA—THE LATE INDIAN ARTILLERY. QUESTION.

MR. WEGUELIN said, he wished to ask the Under Secretary of State for India, Whether those recommendations of the "Ordnance Retirement Committee," which may be adopted for the Regiment of Royal Artillery, will be made applicable to those Officers who were transferred from the late Indian Artilleries and amalgamated with the Royal Artillery, the Colonels of the late Indian Artilleries having at present to serve from forty to forty-five years for the pension of £600 per annum, which is obtainable by the Colonels of the Old Royal Artillery after thirty years' service?

MR. GRANT DUFF: Sir, officers formerly of the Indian Artillery and Engineers who were transferred to the Royal Artillery and Engineers in 1861 are allowed the benefit of the Indian rules for pension, whether they serve in or out of India, or they may retire on the full pay of their rank after 22 years' service. There is, therefore, no necessity for applying to them the recommendations of Captain Vivian's Committee, and no intention of doing so.

#### FENIAN PRISONERS—DR. MACDONNELL.—QUESTION.

MR. CALLAN said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a Letter which has appeared in the public press from Dr. Robert MacDonnell, in reply to an article in a Dublin newspaper, in which Letter Dr. MacDonnell states that he was invited to act upon the Political Prisoners' Inquiry Commission, but felt it to be his duty to decline in consequence of certain proposed restrictions of the scope of said inquiry; and to ask, is there any objection to lay upon the Table of the House, Copy of the Correspondence between the Government and Dr. MacDonnell on this subject?

MR. BRUCE: Sir, I have not seen the letter referred to in the Question of the hon. Member, and have had no official correspondence with Dr. MacDonnell. I wrote privately to ask him whether he would serve on the Commission of Inquiry into the treatment of the Fenian prisoners, and informed him that the inquiry would extend to an investigation of the complaints made in regard to their treatment, their diet, their clothing, the labour they are put to, the punishment inflicted upon some of them, and generally into the question whether, as persons condemned to penal servitude, they are treated with undue harshness. He declined to serve—firstly, on the ground that this statement seemed to decide a question the discussion of which he considered of primary importance—namely, whether the Fenians should be treated as criminals condemned to penal servitude; and, secondly, because during his official connection with the Mountjoy Prison, he had differed in opinion with the authorities of that prison as to the mode in which the political prisoners should be treated. Dr. MacDonnell was asked to serve both on account of his professional eminence and of the independence of character of which he had given conspicuous proof. But while the Government do not deny that the treatment of political prisoners, as distinguished from that of ordinary criminals, is a subject deserving consideration, it did not seem to them one which could properly be committed to the Commission they were about to appoint with a different and narrower object.

FRANCE AND PRUSSIA—ALLEGED  
DRAFT TREATY.—QUESTION.

MR. SAMUELSON said, he would beg to ask the First Lord of the Treasury, Whether the reports in the newspapers gave a correct interpretation of the words he had used on the previous day with respect to the Draft Treaty between France and Prussia; and, whether he is prepared to give any further information on the subject?

MR. GLADSTONE: Sir, as to the first part of the Question which my hon. Friend has put to me, I have to say that when I spoke yesterday I intended to give to the House any information which, in the view of the Government, was available at that moment; and, with regard to the Question itself, I will now state that the Government has received this morning a telegram from Lord Augustus Loftus, dated Berlin, yesterday, according to the purport of which there was to be published this day—and therefore the telegram was entirely erroneous that it had been published by the Berlin papers—the text of a document corresponding to that which appeared in *The Times* of yesterday—a document purporting to be without the name of the author, or any date or giving any means of direct evidence on which gentlemen may form their own opinion as to its authenticity. The document consists of five articles. Article 1. That the North German Confederation and all acquisitions made by Prussia be recognized by the Emperor. Article 2. The King of Prussia to consent to the acquisition of Luxemburg by France. Article 3. A more intimate union between the Northern and Southern Governments, even on the basis of a common Parliament to be permitted by the Emperor. Article 4. The incorporation of Belgium by France will not be objected to by the King of Prussia. Article 5. An offensive and defensive alliance, with a guarantee of the integrity of their Dominions. That document, there is every reason to believe, has now been published in Berlin, and it shows that the anticipation of the Government was well-founded when we stated that the matter would, no doubt, be immediately taken up by both the parties, and full authoritative information be given by them. It is also stated by Lord Augustus Loftus that the original document on which this

Treaty is framed is in the handwriting of Count Benedetti; but, of course, I cannot say how far that is the fact. That, however, is the result of the information which was communicated to him, and which is contained in his telegram.

GLEBE LOANS (IRELAND) BILL.

(*Mr. Chichester Fortescue, Mr. Stansfeld, Mr. Solicitor General for Ireland.*)

[BILL 222.] SECOND READING.

Order for Second Reading read.

MR. CHICHESTER FORTESCUE, in moving that the Bill be now read the second time, observed that it was inseparably connected with the Irish Church Bill of last year, and might be regarded as nothing but a corollary of that great measure. Although this Bill was separated by a Session from the Irish Church Bill, it had never been separated from it in the intentions of the Government, which were fully declared on the introduction of the Irish Church Bill by his right hon. Friend the Prime Minister, and he himself also referred to the subject more at large on the second reading of that measure. The object was to give facilities for the erection of glebe houses to members of other communions than the disestablished Church. Under the existing Public Works Act there was a very large power of lending money to religious denominations in Ireland, partially on personal security; but that power, owing to the conditions imposed, had not been largely accepted, and it was now proposed to improve the terms for the borrower. It was felt that the Irish Church Act would inevitably place other communions at a disadvantage in comparison with the disestablished Church in respect of glebe houses. The disestablished Church was, not indeed universally, but very largely supplied with excellent residences for the clergy, and it would continue on liberal terms to retain those residences with certain moderate portions of land attached. Other denominations were in a different position. The clergy of the Roman Catholic Church, in spite of many efforts made to improve their condition, often lived in mere cabins by the wayside, and sometimes even lodged in public-houses. That was the case in the comparatively wealthy county with which he was connected, and, there-



fore, it might readily be imagined that the clergy in the poorer districts were in a much worse position. The Presbyterian ministers in Ireland were also most inadequately provided for in this respect. Efforts had been made, especially by the Presbyterians, to overcome this evil; but what had been done was but partial, and had been accomplished with great difficulty and pain. It was felt that this state of things presented a most disadvantageous comparison, and formed a very serious drawback and hindrance to the starting of the new ecclesiastical system which last year was introduced into Ireland. The Government thought it would be very desirable if some temporary means could be devised by which the different denominations in Ireland would be enabled to put themselves on a better footing in this matter. They felt themselves precluded from proposing either that any portion of the funds now belonging to the Church should be granted to other denominations, or that grants from the Exchequer should be made for this purpose. But an obvious way of meeting the difficulty was to enable the Board of Works, with the consent of the Treasury, to make loans to members of all religious bodies or congregations in Ireland, for the purpose of facilitating the building of residences for their clergy, and of procuring small portions of land attached to those residences. Under an Act long subsisting, the Board of Works had power to make such advances, but upon terms which had proved almost prohibitory, repayment within five years being required. Even under these rigid terms, however, some use had been made of the powers of the Act by Roman Catholic congregations; and what was now proposed by the Bill was to enable the Board of Works to make advances to any religious body upon the same terms on which money was lent by the Board to landlords in Ireland for purposes of improvement or building. Under the Bill any congregation of the now Established Church which did not happen to possess a residence for the clergyman, would be enabled to obtain a loan for the purpose of providing one; but, of course, the bodies which would mainly need this assistance would be the great denominations outside the Established Church—that was to say, the Roman Catholic and the Presbyterian. He had

hoped that the proposal would be looked upon as a reasonable, natural, and useful supplement of the Irish Church Bill. But his hon. Friend the Member for Sunderland (Mr. Candlish), from the Notice which he had given, seemed to fancy that he saw lurking under this Bill the shadow of religious endowment. He begged to assure his hon. Friend and the House that there was no such intention on the part of the Government. It was not proposed to give a single farthing of public money to any person in Ireland. It would merely be lent on the same terms as all other moneys that were advanced in Ireland, and the conditions of repayment would be precisely the same as in all other cases, and every shilling advanced would come back into the Exchequer; and, moreover, the Act was of a temporary character, being limited in its operation to five years. From the many communications which he had received from different parts of Ireland he was well aware that the granting of such facilities as were here proposed would afford satisfaction to great numbers of persons, and, on the other hand, that the refusal to grant them would inflict great disappointment. After all that had passed, after the pledge—for it amounted to a pledge—given by the Government that it would endeavour to meet this case, the House, he ventured to think, would not deprive them of the power of fulfilling their undertaking. The grant of these facilities would much increase the probable success of the first starting of the Irish Church Act, and he believed that hon. Gentlemen on either side of the House might support this Bill without infringing any principle they had hitherto supported.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chichester Fortescue.*)

Mr. CANDLISH, in moving, as an Amendment, that the Bill be read a second time upon this day three months, observed, that the Bill would enable the Government, through the Board of Works, to advance public money to the Archbishop, Bishop, clergyman, priest, curate, or minister of any religious denomination whatever, and one of the first objects of this advance was to pay off any existing debts contracted in the erection of dwelling-houses or the purchase of glebes in connection with them.

The second object was to make advances for the erection of new dwelling-houses and the purchase of new glebes. The repayment of the money in each case was to extend over 35 years. The question was, whether these advances could in any respect be considered endowments for the purposes of religion? The money was to come out of the resources of the State for carrying out purposes which could not otherwise be attained, and it was no great stretch of the imagination to say that that was a money endowment. The Bill was really founded upon the principle of endowment. He admitted that it was a mild form of endowment; but the degree in no way affected the principle. If it were an endowment at all, it was a violation of the principle that the State should not endow religion in any way, much less all religions. Such a scheme of concurrent endowment—for it was really that—was in direct contradiction of the principle of the Irish Church Act of 1869. No one had denounced concurrent endowment in stronger or more eloquent terms than the right hon. Gentleman at the head of the Government, and so hostile was he to that principle that he even risked the loss of that great measure rather than submit to have such a principle forced upon him. But now, in making the proposal contained in the present Bill, the right hon. Gentleman was utterly at variance with himself. What he (Mr. Candlish) complained of was, not that the right hon. Gentleman had introduced this Bill in compliance with the pledge which he made last Session, but that such a pledge should ever have been given by the Government at all. He regretted that the Government should have thought it needful to continue the irritation and excitement which always resulted from religious discussions in that House, and of which there had already been more than enough during the present Session. He objected also to the mode and time in which the Bill had been introduced. It was not fair or reasonable that a proposal of this magnitude should have been introduced within the last fortnight of the Session, when it was utterly impossible that the country could pronounce any opinion upon its merits. Such a measure ought to have been introduced in the early weeks of the Session, when the Government could have

ascertained the views of the country thereupon. All pledges given by a Government were necessarily governed and controlled by time and circumstances, and there were many of the Governmental pledges which the right hon. Gentleman had been compelled to postpone this Session for want of opportunity to fulfil them. The Pilotage Bill, the Mercantile Marine Bill, the Licensing Bill, the Mines Regulation Bill, and the Parliamentary Elections Bill, embodying the principle of the Ballot—all of them most important measures, for some of which the country was loudly crying out—had been postponed; and, under the circumstances, he asked the right hon. Gentleman to postpone this Bill also, in order to give the country an opportunity of expressing its views upon it. If the Bill were passed now it would be simply evading an expression of national opinion upon the subject.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(Mr. Candlish.)

MR. GLADSTONE: In the observations of my hon. Friend who has moved the rejection of this Bill we have, at all events, the advantage of a frank and outspoken opponent, and there can be no doubt as to the nature of his opposition, for he has stated it broadly and clearly. For my own part, I should have been satisfied to have allowed the Bill to stand on the statement of my right hon. Friend the Chief Secretary for Ireland. There was not one word wanted in his speech, nor a word which I should have desired in any degree to qualify; but my hon. Friend has put a question to us in the most pointed manner, and therefore I think it necessary for the convenience of the House, and in order to shorten the discussion, to attempt to meet that question in the most explicit manner. My hon. Friend complains of the lateness of the period at which we have introduced this measure. If we could have dealt with the subject of the Bill last Session we should have been glad to do so, and that would have been the best time to do it. That was what we earnestly desired, and at the time the Irish Church Bill of last Session was introduced we had the hope that we should be able to deal with this measure during that Session. It was

*Mr. Candlish*



drawn up and ready for introduction, and it ought to have been a concurrent measure with the Irish Church Bill; but we were not able to introduce it. So far as this Session is concerned, what have we done? My hon. Friend says we should have introduced the Bill at an earlier period, and no doubt we might easily have done so; but would there have been any advantage in merely bringing it in and then postponing it from month to month, as we should have been obliged to do? That is a course which might be adopted in the case of Bills which do not involve contested principles of much importance; but with a Bill containing such principles as this one there could be no more fatal course than that of throwing it on the Table of the House, and then postponing it from month to month. Could we have brought this Bill in at an earlier period? I fearlessly challenge my hon. Friend to differ from me when I say we could not—we had no time. [MR. CANDLISH: The purpose of the Government would have been known.] The purpose of the Government would not only have been known, but it would have been discredited, and the Government itself would have been discredited for casting such a measure on the Table, and then not proceeding with it as soon as possible. I affirm, on the ground of general Parliamentary practice and authority, that when a Bill of this kind, containing most important principles which are capable of being contested, is introduced, it should be speedily brought under the practical notice and discussion of the House. Our excuse for not bringing in the Bill at an earlier period is the impossibility of our having done so. My hon. Friend says that the country would have had an opportunity of pronouncing an opinion on the subject—and I admit that the country has not had the separate provisions and clauses of the Bill before it; but surely my hon. Friend does not question this—that the country has been made, in every way in which it could be made, aware of the full intention of the Government to bring the subject before the House. It was the constant subject of discussion with deputations last year, and of repeated Parliamentary declarations of the most explicit kind—and I myself during the Recess made communications to those who were most likely to look with jealousy upon the

Bill—of our intention to proceed with it, so as to take another and additional security that there should be no possibility of misunderstanding. My hon. Friend also says—"Why not postpone this measure until next year, as you have already postponed many other Bills of great importance?" No doubt we have postponed other Bills of vast importance; but there is a difference between the importance of those Bills and the importance of this one. The importance of those Bills is equal in all years—there is no greater reason for dealing with the subject of licensing this year than there was last year, or than there will be next. The Pilotage Bill also is a Bill of general policy; but in this present Bill the whole importance of it rests upon the moment. If we were to delay it for one or two years the whole importance of the occasion for it would disappear, and its provisions would be inapplicable, and we should then be open to the charge of attempting to introduce a system of re-endowment into Ireland. We are now at a crisis of circumstances which renders this Bill necessary—we are within five months of that time, and it is now or never that the House must consider this measure. Let me put the case as fairly as I can. My hon. Friend says that this Bill is one for the endowment of religion, and he thinks he demonstrates that by the assertion, which we grant, that the Bill will allow the use of public money to several religious denominations in Ireland upon terms on which they could not otherwise get that money. We admit that the Bill will give them an advantage over and above that which they could gain in the open money market; and my hon. Friend then says—"I, therefore, fasten upon you the guilt of proposing a Parliamentary endowment." But is he prepared to say that he will apply such a mathematical rigour of construction to political affairs as to contend that when Parliament allows the advance of public money on easy terms it has endowed the purpose or object for which that money is advanced? Have we endowed the railways of Ireland or the landowners all over the country? Those whom we refused to endow; but allowed them to have advances of public money? Have we endowed emigration to New Zealand? I will not lengthen the catalogue; but we have engagements of that kind which

we have constantly entered into. When such things have been done, it is a mere straining of words to say that they are in the nature of public endowments. My hon. Friend says that this is a proposal of concurrent endowment, and that leads us very nearly up to the main gist of the whole case. It is alleged that it is at variance with the principle of the Irish Church Act, because the purpose of that Act was to get rid of endowments. My hon. Friend has correctly stated that we steadily resisted concurrent endowment, and we are not ashamed of it, but would be content to take the same course if the same circumstances recurred. But he has not taken the whole case in his view. There are two principles in the Irish Church Act, and it is in the conflict or competition of those two principles or aims that the difficulty arises which this Bill is meant to resolve. My hon. Friend says that the object of the Bill was to put an end to religious endowments in Ireland, and so it was; but it had also another object—to apply equality of treatment to all religious bodies in Ireland. I entreat my hon. Friend to look at the whole of the position in which we stand; and I ask him whether it is not necessary in the provisions of a great measure of this kind, which has more than one aspect, to shape your conduct according to the combined effect of its different aspects? It would have been flagrantly at variance with our principles to have refused to introduce this measure. For whose sake is it introduced? No doubt the Roman Catholic Body will obtain some advantage from the disestablishment of the Church; but among the three leading persuasions in Ireland, if I may judge from the vigour and tenacity with which this demand has been pressed on us, it is the Protestant Presbyterians of the North who feel the greatest interest in this measure, and to whom the refusal of this measure would carry the bitterest disappointment. Their position was peculiar. They had the responsibilities of endowment, with but a moderate portion of its sweets; for though the State gave them a pittance, yet it was but a pittance, and I should be extremely sorry, with respect to them in particular, if we were to appear by an exaggerated construction of terms to drive home abstract ideas to an extent making it necessary for us to disappoint their expectations. I put it to the House

and to my hon. Friend that these expectations which are entertained by the different religious bodies in Ireland are expectations which they have been justified in entertaining, and which we have permitted, encouraged, and I would even say compelled them to entertain. From time to time this matter has been announced; but at no period, either last Session or this, has any word of protest or warning gone forth from the numerous vigilant and able advocates of Nonconformity and voluntary principles in this House, to intimate that a plan of this kind would meet with strong resistance. Under these circumstances, we really have given to these bodies in Ireland a right to expect that we shall not recede from the fulfilment of the engagements which the Government had made. This is an arrangement which is of a wholly retrospective character. The principle is already in the statute book; for the principle of State aid already exists, though in severe terms, in the Act of *Will. IV.* We propose to make these terms easy, and to give them an efficacy which they have not now got; but when this Bill expires, which, as at present drawn up, it will do in five years, we are perfectly willing to meet my hon. Friend, and to cut off the link which the existing law now establishes between the State and the various religious denominations for building houses or churches for the purposes of religion. We are prepared to make this the winding up of the whole matter, and to provide in this Bill that, so far as religious purposes are concerned, the operation of the Act of *Will. IV.* shall entirely cease. The principle of equality between the different religious bodies is not less sacred than the principle of putting an end to religious endowment in Ireland. By the 27th section of the Irish Church Act, the section relating to ecclesiastical benefices, which gives easy terms with regard to glebe houses, and which was forced by the House on the Government and not by the Government on the House, it is provided that the glebe houses shall be handed over to the Representative Body of the Church on payment of ten times the annual value of the land on which they are built, or, at the option of the Church Body, on payment of the building charge that may exist over them. I may fairly call that a merely nominal payment, and in that case we deliberately



adopted terms so easy as to amount to a very large gift of money to the Church. Now, I ask, when our principle was to give all religious bodies a fair start in Ireland, was it possible for us to maintain the principle of equality of treatment for the various religious denominations, by saying to the Presbyterians and Roman Catholics and others—"We will give every facility, and more than facility, to the members of the disestablished Church; but we entirely decline to look at the position in which you stand?" We feel that we are under an honourable obligation to put forth the best efforts in our power—and we are really making them at the earliest moment which was within our reach—to extend for this valuable purpose some amount of public assistance, which, without involving a grant of one shilling of public money, is, notwithstanding, a great help and security to those who receive the benefits of such efforts. It is not in accordance with any secret plan or plot—it is not for any fanciful preference that we have proposed this scheme. It has not sprung out of our brains; but is rooted in a sense of justice and a desire to maintain our promises. Under these circumstances, I cannot help hoping that my hon. Friend will see that we have been acting under the pressure of considerations which it was hardly competent for us to put aside; that there is no wanton or gratuitous intention on our part to run counter to the principles on which he desires to see us act; and that if there is a Division on the second reading, and the House should pronounce by a very decided majority in favour of the Bill, he will feel he has done his duty, and will allow the measure to go forward through its subsequent stages.

DR. BALL: The Government having said a year ago, when the Irish Church Bill was before the House, that a measure of the character of the present would, at a subsequent period, be introduced, very naturally conceive that there is some necessary connection between the Irish Church Act and the present Bill. In my judgment, there is no necessary connection between them; and, for my part, I am of opinion that this Bill might have been introduced with the greatest propriety whether you had passed the Church Act or not. Sir, I do not consider this Bill as part of a policy laid

down with regard to religious questions; but as one which you have laid down generally in respect to Ireland—namely, that you give assistance towards everything which tends to advance the civilization and general interests of the country. You lend money from the Board of Works to the proprietors of land on the same terms as those embodied in this measure, for the improvement of their estates, for building, for drainage, for fencing, and for other purposes, which, although they may be primarily beneficial to themselves, have been regarded by the Legislature as being of advantage to the community also. What does this Bill do? It does not give one farthing as a direct gift. It makes no endowment. It does not give one single advantage beyond lending money at a low rate of interest, and it does this for a class which has one advantage over almost every other—that its members are coercively resident, and moral in life. The reason for the low rate of interest reserved is obvious. A nation does not go into the market to make money by obtaining a large rate of interest. You give the money at a rate of interest which saves you from loss—and you get back your principal and a small amount over to cover risk. The hon. Member for Sunderland (Mr. Candlish) seemed quite sensitive, as if this was a great boon, and he characterized it as concurrent endowment. I confess I am amazed how a person so shrewd in relation to money matters could take such a view of a transaction by which the State lends money and gets it back without a particle of loss and also without profit, and gives it on those terms, because the State could not consistently with its character aim at making money by the process. Nothing but an anxiety to assume a belligerent attitude towards all teachers of religion could induce anyone to propose the Motion made by the hon. Member to prevent the progress of the Bill. There is an easy way of getting rid of objections founded on the Bill being brought forward at this period of the Session—to let the Bill pass without discussion, and then the Member for Sunderland will have the time requisite to bring forward any other measures he wishes.

MR. W. H. GREGORY reminded the House that last Session he desisted

from moving that some of the money of the Irish Church should be devoted to the purchase of glebe lands for Roman Catholic priests, because the Roman Catholic Members of the House would not listen to it lest they should be suspected of breaking faith with the Scotch Members and the Nonconformists, together with whom they were fighting the battle of religious equality. On that occasion the right hon. Gentleman (Mr. C. Fortescue) said a Bill would be brought in to grant glebes to all religious denominations in Ireland, and that would have been the time for hon. Members to protest against it as concurrent endowment.

MR. M'LAREN said, he quite agreed with the hon. Gentleman who had just sat down that there was no pledge given by that House last year directly or indirectly. Even the right hon. Gentleman himself (Mr. Gladstone) stated that, with the exception of the Government, no other parties were pledged. He (Mr. M'Laren) utterly denied that there was any ground for the Bill in consequence of anything that occurred last year. It had been assumed that some great advantage was conferred upon the Church of England last year in Ireland; and that, therefore, a corresponding advantage ought now to be conferred upon the Roman Catholics, and upon the Presbyterians, and upon other denominations. He denied that any advantage whatever was conferred upon the Established Church of Ireland last year, and maintained that what was then done was to take something away from her, still leaving her something, no doubt—perhaps, in his opinion, a good deal too much; but still it was undeniable that no new advantage was given to the Church of England in Ireland, while an advantage was undoubtedly taken from her. He could easily conceive how a good argument might have been adduced for the Bill a few years ago. It might have been pointed out that all the Church of England ministers were in independent circumstances, with large incomes; and that, under those circumstances, they ought to do something for the other sects. But when they pulled down the Church of England in Ireland from its pedestal, and put it on the same platform as the other disestablished Churches, he altogether denied the force of the argument, and maintained that

what took place last year rendered it quite inexpedient and impolitic to bring that Bill before the House. It had been stated that they had security for that money, and reference was made to it by the right hon. and learned Gentleman opposite (Dr. Ball), as if they were grumbling about the small rate of interest charged. He (Mr. M'Laren) agreed with the right hon. Gentleman that whenever the Government lent money for important public purposes it should lend it without any view to profit, and if there was a necessity for it, then he thought no fair objection could be taken. But in this case the necessity had not been proved. He did not profess to know the value of land in Ireland, its value must greatly depend on its nearness to, or distance from town; but, take it at any value they pleased, to carry out the objects of the Bill would require a large sum of money. They had about 3,000 ministers of religion of all kinds in Ireland, and each of them was entitled to have a house, and a glebe of 10 acres, and they were bound by the Bill to pay off the debts of all the houses in Ireland now existing. Taking all that into consideration, and remembering that ecclesiastical persons would include Bishops and Archbishops, for whom suitable residences would have to be supplied, £500 would not be too high a figure for the average sum, which would require £1,500,000. That was a large amount. They were going to lend that in a way which filled him with great doubts whether they would ever get it back. It had been said that the Presbyterians in the North of Ireland would be most disappointed if they did not get the promised loans. He could conceive such to be the case, and he could look forward a few years and see, in his mind's eye, a Motion made on the opposite side of the House praying that those payments might be remitted in consideration of some period of distress, and he could equally see the Members on this side seconding that with all their hearts. They had had an example of the wonderful alacrity and unanimity with which money matters were sought by the two parties united when it was wanted in the case of the statue of Lord Gough. He saw little hope of getting that money back. Under the circumstances, he thought the best thing they could do was to postpone the measure till next

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Session. For himself, he could say that he knew the opinions of the Nonconformists to be opposed to such a course, and to be on that matter entirely different from those of the First Minister of the Crown. For, since the Irish Church Bill passed, he had seen on that subject the greatest distrust in the minds of Nonconformists, as they feared that a Bill of that kind might be brought before Parliament; and he ventured to say that, if the Bill had been brought into Parliament two months ago, they would have had hundreds of Petitions against it from the country with which he was connected. He thought that a Bill of such magnitude and importance ought not to be brought forward at that late period of the Session; and, for his own part, he did not think the arguments adduced were at all satisfactory; and, therefore, he cordially supported the Motion of his hon. Friend the Member for Sunderland.

MR. MAGUIRE said, as a Catholic Member, he wished to offer a few remarks on that stage of the Bill, and in reply to some of the observations of his hon. Friends at that side of the House. It might be in their memory that, in March, 1868, he brought before the House of Commons what was then known as the Irish Question; and on that occasion, when dealing with one of its divisions—that relating to the Church—he read the declarations made continuously for nearly three-quarters of a century by the Catholic Bishops of Ireland, who consistently refused to accept for their Church any portion whatever of the property then in possession of the Anglican Church—refused to accept any benefit or advantage whatever for themselves or their Church, save what would necessarily arise from the abolition of an injurious supremacy, and the removal of a cause of bitterness between the people of the same country. The policy of the Catholic Bishops was adopted by the people and carried out by their representatives. The Catholic Members not only did not encourage any attempt to give their Church a share of the spoil, as it was termed, but they distinctly repudiated every such attempt. They did so on clear and intelligible grounds—they did so to keep faith with the English Members who supported them; but they also acted as they did as matter of pride and principle. They

maintained the voluntary principle in their votes, and they showed that their motives were pure, and that they only desired to get rid of a great wrong not in a spirit of hostility, but from a desire to promote amity and good feeling. Therefore, on the question of endowment, they, and those they represented, were above all suspicion. When they were offered concurrent endowment they repudiated it, and would not give it the slightest favour or continuance. But they were told that Bill, by which advances were to be made to assist Catholics and others to provide glebes for their clergy, was endowment; and, therefore, that they were wrong in accepting it, and that his hon. Friends were right in rejecting it. But, sincerely speaking, could any man really call that endowment? His hon. Friend the Member for Sunderland (Mr. Candlish) was a first-rate man of business—a rational, sensible man; and how he could turn a loan into an endowment passed his (Mr. Maguire's) power of comprehension. Let him ask his hon. Friend—did the money-lender, who lent his money on security and at a certain rate of interest, endow his borrower? Did the banker, who lent at a fair rate of interest, or the usurer who lent at exorbitant interest—did either endow the person to whom he lent his money; or was such loan an endowment? And where was the difference between such loans and the proposal in the Bill? The real question was, was it necessary and right that the measure should be brought in? The conduct of the Irish Catholics during the passing of the Church Bill rendered it necessary; for they refused endowment—refused to take share in the spoils. Then there was the want of proper houses or glebes for their clergy. That was notorious. Many lived in miserable houses, many in actual cabins, in a manner in which the clergy of the national faith ought not to be found. Now, as his hon. Friend the Member for Edinburgh (Mr. McLaren) said, a great deal was left to the Protestant clergy. He (Mr. Maguire) was himself pleased it was, and he would not personally have objected to their having more, if more could be fairly given; but they had their glebes, their lands and houses, their decent and comfortable mansions, and the Catholic clergy were without them—and this Bill was intended to as-

sist their parishioners, not the State, to endow them with residences becoming their positions; and that was the entire the Bill did. At present, there was no visible equality, and the Bill sought to bring it about; and if there was not an equality perceptible to a quick and sensitive people, injury to charity and good feeling must be the result. But his hon. Friend departed from his usual good taste in his eagerness to rest a great principle upon a false issue. He hinted that the money was not to be paid back, and suggested that the same unanimity that influenced Irish Members with respect to Lord Gough's statue, would actuate them on a future occasion in reference to those loans. In the instance mentioned—that of paying a tribute of respect to a noble Irish soldier—their action was creditable to their feeling; in the other instance it would be an act of public dishonesty. And as to the paltry eight tons of gun-metal to commemorate the deeds of a gallant soldier, were that soldier a Scotchman, Irish Members would readily have aided Scotch Members to procure it. Indeed, one gallant Scotchman (Colonel Sykes) did, to his credit, insist on this material being given to honour his old comrade. But his hon. Friends were indignant that the Bill was not brought in sooner. He was glad it was not. They could now discuss it in good temper, and with moderation of feeling; but had it lain on their Table since February, what Petitions from Scotland against it! [Mr. M'LAREN: Hear, hear!] Yes; but they knew what a no-Popery feeling might be excited, even amongst Scotch Liberals, at any proposal which would benefit Roman Catholics as well as Presbyterians. Much ill-feeling and much absurd opposition had been spared; and he hoped his hon. Friends would now be able to see this proposal in its true shape—as a means of assisting parishioners to do that for their clergy which they would not allow the State to do for them. But why, they were asked, postpone the Shipping Bill, and the Ballot Bill, and other great measures, to pass this? Why, the Merchant Shipping Bill contained 800 clauses, and this contained eight. The Ballot was a great measure that might well stand for next year, considering that two vast measures, the Irish Land Bill and the Education Bill, had signalized the

legislation of this Session. That was a good Bill, but it was the very opposite of endowment. Endowment gave and did not take back—that lent, and insisted on repayment. Considering the position which the Irish people had taken up through their Members on this question of endowment, he really wondered how his hon. Friends could think of raising opposition to that simple, just, and necessary proposal.

COLONEL STUART KNOX said, he would not oppose this mite of justice to the people of Ireland. It was an insult to suppose that the Nonconformists, after receiving a loan under this Bill, would afterwards refuse the repayment. The hon. Member for Edinburgh (Mr. M'Laren) had quite overstated the case with respect to the Presbyterians of Ireland, and it would have been well had he left that body to have pleaded their own case. He did not rise to speak upon the merits of the Bill, but merely to put a question to the Government. Last year, when the Irish Church measure was under discussion, both the Prime Minister and the Chief Secretary for Ireland, in answer to questions that were put to them, distinctly stated that money would be lent to build churches as well as manse. What he wanted now to know was, whether the Government intended to redeem that pledge, and whether they would lend money for the building of churches. If such was their design, a clause to that effect would have to be introduced in Committee.

MR. O'REILLY said, the hon. Member for Edinburgh (Mr. M'Laren) had put the matter in a false light by stating that the Government were about to provide palaces for the Roman Catholic Prelates. Nothing of the kind was intended, nor, indeed, would the priests desire such a thing. Only such houses would be built for them as their state required and their revenue would permit, and they themselves would have ultimately to pay for these dwellings, and advance a considerable proportion of the money that would be requisite. Roman Catholic Bishops were numerous in Ireland whose whole income amounted only to between £300 and £500 a year; and that was in itself a guarantee that extravagant or enormous palaces would not be erected. Such buildings would be entirely unsuited to their means, and would, in fact, be very far from being a



boon. Objections had been raised to the Bill; but they were not founded on fact. The real issue raised by the measure was not one of concurrent endowment, but was one for carrying out the principle of equality between all religious denominations in Ireland, as recognized in the Church Bill of last year. He himself had had a conversation with the President of the Board of Trade upon this very subject long before that Bill was introduced. That right hon. Gentleman laid it down as a broad principle that if strict justice and equality were meted out to all denominations, some such thing as that contemplated by the Bill would have to be done. He further maintained that the glebes were part of the assets of the English Church in Ireland, and that they would have to be sold and turned to account by the State like the other assets. Finally he declared that if the glebe-houses were given to the disestablished Church, either gratuitously or at a merely nominal price, the glebes would also have to be given to the other religious denominations in Ireland. He (Mr. O'Reilly) quite concurred with the right hon. Gentleman that it was neither fair nor just to give glebes at a merely nominal value to one denomination and withhold the power of procuring houses to the other. He attached importance to the present Bill not in the interests of Roman Catholics, but in the interests of the Empire, inasmuch as, if passed, it would show that the Legislature was prepared to carry out fairly, to the fullest extent, and quite irrespective of religious prejudices, the principle of the equal treatment of all religious denominations in Ireland. The Bill was absolutely necessary in order to fulfil the principle of religious equality which was contained in the Irish Church Bill. His belief was that the Bill would do much to promote good feeling in Ireland, and to root in the minds of her people that the House of Commons was prepared to do justice to every one, irrespective of prejudices or of party considerations.

MR. WINTERBOTHAM said, it was with regret that he felt himself bound to differ from his hon. Friend the Member for Sunderland (Mr. Candlish). If this measure stood alone upon its own merits, he should not hesitate to support him, for he thought it was impossible to deny that this measure, in however attenuated

a degree, made provision out of State funds for religious communities; it was, in fact, a part of a system of State endowment. But the measure did not stand alone. The Prime Minister had put it on its just footing when he said that it was part of the scheme of the Irish Church Bill of last Session; and it was because he had a distinct recollection of what passed during the debates upon that Bill with reference to this measure, that he felt bound not to vote for the Amendment of his hon. Friend. Supposing this Bill had been inserted as a clause of the Irish Church Bill, would they have risked the safety of the Bill by opposing the clause? He felt sure that they would not have done so, but would gladly have accepted the clause for the sake of the Church Bill, even although that clause had been at variance with their own principles. That being the case, he maintained that those who accepted the Irish Church Bill were bound also to accept this; for whilst the Church Bill was passing that House the Prime Minister had distinctly stated his intention of bringing forward such a measure this year. If it were admitted that it was desirable to give facilities for the erection of manses, he could conceive of no plan which was easier, more simple, or less at variance with the convictions, or even prejudices of other denominations, than the Bill now before the House. Upon these grounds he would support the second reading of the Bill. It would not be fair, after passing a clause providing glebes for one Church, if no provision were made for the others.

MR. M'ARTHUR said, he regretted that he would have to oppose the second reading of the Bill. He voted for the Irish Church Bill in the interest of the then Established Church, and he believed that measure had conferred great advantage on that Church by the spirit of zeal and liberality it had evoked. He opposed the present Bill on broad and general grounds, and because he did not believe that the measure had any connection whatever with the Irish Church Bill. Hon. Members might call the Bill by any name they pleased; but, substantially, it was a Bill for endowing certain religious bodies in Ireland, and upon that simple ground alone he would oppose it. He contended that neither the Presbyterians nor the Episcopalians of Ireland had asked for the Bill. He

hoped, under these circumstances, that Government would at least postpone the measure. It was all very well talking about loans; but he should like to know how the money which had been advanced for public works in Ireland had been obtained. He himself was of opinion that they had no assurance of the money which might be lent being ever repaid. He believed that in many of the poorer districts the people would be unable to pay the money, and the Government would not, under such circumstances, like to seize the glebes. He regretted having to oppose the Government in this matter. His belief was that the only way of promoting peace in Ireland, and good feeling among the people, would be to let all denominations build their own churches and mansees, and give them no State endowment whatsoever.

MR. VANCE believed that the Bill would be accepted by the Presbyterians; but it would not redeem the pledge given last year that loans should be made for building churches. On many grounds, which he need not enter into, this would be towards the Presbyterian body an act of justice. He saw no reason, however, why the operations of the Bill should be limited to five years; on the contrary, considering the interests which were at stake, the arrangement ought, in his opinion, to be made in perpetuity.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) said, he should not have addressed the House on this question had it not been for the remarks of the hon. Member for Lambeth (Mr. M'Arthur). He (the Solicitor General for Ireland) was well aware that this Bill would be acceptable to every denomination of Presbyterians in Ulster. The Moderator of the General Assembly had pressed upon the Government, when the Irish Church Bill was under consideration, the necessity of introducing some measure of the kind now proposed, and the only reason why no further pressure had been put upon the Government this year was, he believed, because reliance was placed upon the promise already given. He was surprised that any doubt should have been cast upon the repayment of the money to be advanced. The hon. Member for Lambeth, although representing an English constituency, was an Irishman, and he should have been the last to join in an

attack upon his own countrymen. Public loans in Ireland were repaid as punctually as similar loans in England or Scotland. This had been stated so frequently, and always in general terms, that he should take no notice of any suggestions of this kind in future unless the name of the man who had not paid was mentioned, together with the amount of his debt. As would be seen by a reference to the provisions of the Bill, the Commissioners would not allow money to be advanced without receiving the security of a mortgage, or the security of three solvent persons, and all was to be under the supervision of the Treasury. None of the arguments put forward in favour of the Bill had been answered during the debate.

MR. MIALL believed the Government were bound in honour to bring forward this Bill, and if it had formed part of their general measure last year for the final adjustment of the relations between Church and State, most of those even who now opposed this Bill would have acquiesced in the arrangement, and he himself should have given it his support; but, after the interval which had elapsed, it would be difficult for Members to satisfy their consciences, or their constituents, that the two measures really formed part of one and the same adjustment, and therefore he should feel bound to vote with the hon. Member for Sunderland (Mr. Candlish). This undoubtedly was something like the establishment of relations between the State and the different religious communities—and if he believed the measure represented a settled policy of the Government, or was intended to be a perpetuity, instead of being merely the fag-end of a measure already passed, he should take much more decided steps in opposition.

MR. BAINES said, he should vote in the same way as the hon. Member for Stroud (Mr. Winterbotham), although he did not accept all the arguments of that hon. Gentleman. He denied that in the Government proposals there was anything in the nature of endowment; for, although it would confer a pecuniary advantage, that accommodation would be accompanied by liability to repayment. Therefore there was no gift in the first place; and next, the transaction would involve no patronage on the part of the State, or subjection on the part of the persons accommo-

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dated. He thought the Nonconformists were overstraining a point in opposing this Bill, which was a measure of equality, justice, and humanity.

MR. HADFIELD regretted the Bill more for the sake of the Catholics than for the Protestants. Last year he was able to boast before his constituents that the Catholics would not have endowments, and he regretted exceedingly that they were now coming forward to borrow money from the State. It was stated by the Prime Minister that more applications for Government loans had been received from the Presbyterians than from the Roman Catholics, and that was because the former body were so accustomed to lean upon the State for support. The members of the various Nonconformist denominations in this country had not asked Parliament for a shilling, and he objected to the Bill as tending to produce further inequalities amongst religious bodies. His confidence in the Prime Minister was not shaken, however, by the circumstance that he had brought in this measure.

MR. GREENE said, he did not believe the money would be repaid. He could cite Irish loans which had not been repaid — namely, the loans for Limerick and Galway Harbours. This Bill was neither more nor less than the beginning of concurrent endowment, and he asked where the economists were that they would permit this money to be lent? He had opposed the disestablishment of the Irish Church; but as the measure of last year had been passed he now wished that the Church should stand by itself, and that other religious bodies should be left to take care of themselves. He should therefore oppose the Bill.

MR. GILPIN also regarded the Bill as the first step towards concurrent endowment, and urged the distinction between this and the Irish Church Bill, that that dealt with ecclesiastical funds and this with the Consolidated Fund. "Money for Ireland!" seemed to be the only cry which would unite Irish Members on both sides of the House.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 161; Noes 58: Majority 103.

Main Question put, and *agreed to*.

Bill read a second time, and *committed for Thursday*.

## SUPPLY—REPORT.

Resolutions [July 25] *reported*.

MR. MONK inquired whether it was intended to make any allowance to the Ambassador at Constantinople for a winter residence at Pera, or whether he would reside at the new palace which had been fitted up at Therapia?

MR. OTWAY said, that owing to the great disaster which had occurred at Constantinople, our Ambassador's house there would hardly be habitable in the coming winter. At the present moment the Ambassador had removed his family to Therapia, and no doubt he would remain there as long as he possibly could. If he were unable to remain at Therapia during the winter it would be necessary to find some temporary accommodation suitable for him until such time as a decision could be taken with regard to rebuilding the Embassy House.

Resolutions *agreed to*.

## SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## HARROW AND WINCHESTER SCHOOLS.

### RESOLUTION.

MR. STEVENSON, in rising to move the Resolution of which he had given Notice, said, that early in the Session the proposed new statutes for constituting the Governing Bodies of five of our great public schools were laid on the Table of the House, when it was found that in regard to all five of those schools the statutes attached the qualification of membership in the Church of England as a condition to holding a position in the Governing Bodies. An Address to the Crown was adopted on the subject by that House, the result of which was that the Public Schools Commissioners re-considered the matter, and removed that objectionable restriction in regard to three of the schools, but retained it in respect to Winchester and Harrow. In answer to a Question put to him about a fortnight ago, the Solicitor General stated that in the case of Winchester the Commissioners had ascertained that from the passing of the Act of Uniformity to the present day it had always been deemed that a Church of

England character was distinctly impressed upon the school. As that school dated from long before the Reformation, and its character must have necessarily been re-moulded at that epoch, it might very well undergo further re-moulding in the present century, to adapt it to the requirements of modern thought. But if they were indebted for the restriction complained of to the Act of Uniformity, that was only one of the various evil consequences flowing from the passing of that Act. In the case of Harrow, the Commissioners appeared to have made an inquiry to ascertain whether that school came under the terms of the Endowed Schools Act of 1869, under which schools were to be exempted from what he might call the Conscience Clause for all endowed schools under that Bill, provided they were able to show that certain religious doctrines and formularies had been observed in the school down to the passing of that Bill. The hon. Gentleman then proceeded to quote the opinions of Dr. Vaughan and Dr. Butler—the one the former and the other the present Head Master of Harrow—to show that although, in answer to the questions put to them by the Commissioners, those gentlemen had admitted generally that, in point of fact, Harrow had been a Church of England school, yet in their view the adoption of a religious test in regard to members of the Governing Body was impolitic in the present day, and also injurious to the interests of the Established Church itself. Dr. Butler, in a recent letter to *The Times*, said that no religious test had been imposed on the members of the Governing Body of Harrow, although no doubt, in fact, all the members had belonged to the Established Church; and Dr. Vaughan had avowed his conviction that that Church in the long run was always a gainer by the largest possible comprehension. He did not mean to cast any reflection on the conduct of the Commissioners themselves; but if the Act of Parliament was at fault means should be taken to place these schools on a footing similar to that of the other great public schools. The hon. Member concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient that the Revised Statutes for the constitution of

*Mr. Stevenson*

the new Governing Bodies of Harrow and Winchester Schools should require that any person, in order to be qualified to be elected or nominated a member of the Governing Bodies, must be a member of the Church of England,"—(*Mr. Stevenson*.)

—instead thereof.

THE SOLICITOR GENERAL said, that he was sorry that it fell to his lot to address the House, because with the spirit of the Resolution he entirely concurred. If he were asked whether, in his judgment, it was expedient that this restriction should have been placed upon the Governing Body of any school, he should unhesitatingly say that it was inexpedient; and, for his part, he should never concur, as a matter of wisdom and expediency, in the introduction of this restriction upon any Governing Body of any school. But he must point out that this was not the question which they had to consider; they had not to consider what was expedient, but what were the duties that the statute imposed upon those who had to act under it. He had never disguised his own wish upon the subject; but he considered that, as a Commissioner, he had no business to act upon his own opinion, and had simply to ascertain what was the state of the law which he had to put into practice. A Resolution of the House of Commons could not change the law; and if the law were as he should put it, then it followed that the Commissioners could not disregard it. Down to the present time the Governing Body of Harrow had been of an exclusive character, and he maintained that by the present law that exclusive character must be maintained. His contention was this—that the two schools were within the exception in the 19th section of the last Act; and the Uniformity Act further supported the conclusion to which he had arrived. He was personally no party to the arrangement which imposed the restriction upon the two Governing Bodies; he was not present at the meetings of the Commissioners, and had nothing to do with what was determined upon. He must, however, repeat that the Commissioners were bound by the law to act as they had acted, and any Resolution of the House against their determination would not be operative.

MR. WINTERBOTHAM admitted, as a matter of course, that if there was a statutory obligation upon the Com-



missioners then this Motion would be open to the criticism of the Solicitor General; but, with very great and unfeigned respect for his hon. and learned Friend, he must dispute the conclusion which he had arrived at. He (Mr. Winterbotham) contended that there was no statutory obligation upon the Commissioners to do as they had done; but, on the contrary, there was a statutory obligation upon them not to do it. He was quite clear that this was the true construction of the statute, and further, that it was so understood by the Vice President of the Council when the Act was passed. The Commissioners had inserted a clause restricting the Governing Bodies of Winchester and Harrow to members of the Church of England, and he contended that they were not bound to insert any such provision. The 17th clause said that in the case of undenominational schools there should be a positive provision against restriction, and then the 19th clause excepted certain schools. The Commissioners, therefore, were bound, in the case of undenominational schools, to insert a positive provision against restriction; but they were not bound to insert any restriction in the case of any schools whatever. Even if Winchester and Harrow were held to be denominational schools, the introduction of the restrictive provision would be perfectly gratuitous upon the part of the Commissioners, and they would have taken a positive retrograde step which was not countenanced by the Act. But he went further, and argued that neither Winchester nor Harrow was within the exception in the 19th clause. Winchester was a pre-Reformation endowment, and would certainly be a national endowment but for the Act of Uniformity; but his hon. and learned Friend having misread the 19th clause, brought in the Act of Uniformity to help him. The exceptions in the 19th clause referred to schools maintained from the endowments of any cathedral or collegiate church; and, secondly, to schools where the scholars were required by the terms of the original instrument of foundation, or the terms of the statutes—and statutes which had been observed down to the commencement of this Act—to be instructed according to the formularies of any particular Church. He contended that neither of the schools came within

either of these exceptions; and therefore he thought that the House should pass this Resolution. If there were a statutory obligation upon the Commissioners, the worst would be that this Resolution would have no effect; but if, on the other hand, Winchester and Harrow were not within these exceptions, then this Resolution would have the effect of directing the Commissioners to carry it out. As to Winchester, his contention was that it was not a cathedral or collegiate school; and as to Harrow, that had hitherto been administered liberally, and they were now narrowing its action in a way that was not obligatory upon them by any Act.

MR. W. E. FORSTER reminded hon. Members that those statutes had not as yet arrived at a definite form. The process was not yet completed, and it would be very inconvenient for the House to express a judicial opinion, which it was almost impossible to express, upon a matter that was not as yet decided.

MR. WINTERBOTHAM: But the statutes are on the Table, and, consequently, the House is in a position to express an opinion upon any of the provisions contained therein.

MR. W. E. FORSTER said, he wished to explain how those statutes were laid before the House. Under the Endowed Schools Act schemes had to be framed by the Commissioners, approved by the Government, and laid on the Table for assent or dissent—all the process being complete before the schemes were submitted to the House. The House might then, if inclined, dissent from a scheme which it knew to be approved by all the Executive authorities called in to assist in framing that scheme. But that was not the position in which they were now. Statutes had been drawn up by the Public Schools Commissioners in regard to those schools, which had been laid upon the Table. Objections had been made to those statutes as applying to five schools, and they were referred back to the Commissioners. In consequence of that state of things the House, at the instance of the right hon. and learned Gentleman (Mr. Russell Gurney), assented to an Address, remitting back to the Commissioners those statutes for reconsideration. The Commissioners did reconsider them, and they again framed statutes, which were laid upon the Table of the House. Those statutes, however,

had not as yet come before the Privy Council, because the time allowed by the Act before they go before the Privy Council had not yet elapsed. When the statutes did come before the Privy Council it would be their business to thoroughly weigh all that had been said by his hon. and learned Friend the Solicitor General, who had spoken as one of the Commissioners, and by his hon. Friend the Member for Stroud (Mr. Winterbotham). It was impossible for him to say what would be the decision of the Privy Council when the question came before them. When, after his experience in connection with the Committee for Public Schools, as a Church of England School Commissioner, and a framer of the Endowed Schools Act, he now declared he could not say which of his hon. Friends was right in respect of this matter, he thought it must be admitted that it would be rather difficult for the House to arrive at a judicial decision upon it. He thought it would be better to leave the matter in the hands of the Government to decide upon their responsibility whether they would approve of the statutes or not; and if they were approved of, and any objection afterwards taken to them, the House might be again appealed to on the subject. The question was of importance chiefly to the two schools of Winchester and Harrow; and he thought that if the proposed Address were agreed to, and the Commissioners were called upon to consider the statutes in reference to the Endowed Schools Act, the result would be to cast upon them the duty of giving an interpretation to the Act. The importance of establishing any precedent in the matter would be keenly felt by the Government in their examination of the question.

MR. FAWCETT said, when the right hon. Gentleman who had just sat down and the Solicitor General were compelled to resort to such weak arguments he thought their case must be a very weak one, and that of the hon. Member who moved the Address (Mr. Stevenson) a very strong one. In reply to the technical and legal arguments of the Solicitor General, the answer of the hon. Member for Stroud (Mr. Winterbotham) was triumphant and complete; and in reference to the observations of the right hon. Gentleman the Vice President, he (Mr. Fawcett) would ask

whether the placing on the Table of those statutes was to be considered by the House as a mere idle form? Were the Privy Council to consider those statutes without any guidance from the declared opinions of that House? It seemed to him that the reason why those statutes had been placed upon the Table was to afford Parliament the opportunity of expressing an opinion upon any of the provisions contained therein; and if the House should accept the Motion of the hon. Member for South Shields there would be an additional reason why the Privy Council should not allow that restriction in regard to the schools of Harrow and Winchester to continue. He had received letters from some of the masters of Harrow, who, though members of the Church of England, declared unanimously against this restriction, which they said would act injuriously even to the Church of England schools. He (Mr. Fawcett) viewed this restriction as inexpedient, unjust, and unnecessary.

MR. NEWDEGATE said, he hoped the House would act cautiously before they proceeded in the course recommended by the hon. Member for South Shields (Mr. Stevenson). He was quite sure that the House did not wish to proceed in an unconstitutional manner; but he (Mr. Newdegate) had been advised, on authority that no one could overlook, that in the matter of the Address which the House had agreed to, and in accordance with which an alteration had been made in the statute for Rugby School, the House had acted, not only in an unconstitutional manner, but positively illegally. He trusted that the House would not proceed further in so doubtful a course as that with respect to the statutes for the other public schools, until they had the assurance or judicial decision from the Privy Council, or from a Court of Law, or from both, as to the legality of this course. He had termed those proceedings unconstitutional, because he conceived it was the intention of Parliament, when it directed those statutes to be laid before it, that the same course should be adopted in respect to them which was adopted by the House of Lords in respect to Money Bills—namely, that either House of Parliament, or both, should sanction or reject each statute as a whole. What had the House been led into? It had invited the Commissioners to import into the

*Mr. W. E. Forster*



statute for Rugby the principle of a subsequent statute from which they derived no power whatever. What was more, the very reference he had heard made to the 19th clause of the Endowed Schools Act of 1869 showed him that the hon. Member for Stroud was inviting the House to insist, as far as they could, on the Public Schools Commissioners, the whole of whose powers were derived from the statute of 1868, adopting the provisions of the 19th clause of the statute of 1869, although the Public Schools Commissioners had nothing whatever to do with those provisions or with that statute. It appeared to him that this was a most unconstitutional course, and he trusted that the Government would not sanction any further proceedings in that direction. The Motion involved the question, whether that House was to adopt *per se*, as a single Chamber, a new mode of legislation without reference to the other House of Parliament. He submitted that such a course would, if adopted, be vicious and unconstitutional.

MR. BOUVERIE said, that within his recollection the late Lord Aberdeen was a Governor of Harrow School; but the noble Lord, who was a member of the Church of Scotland, could never have become a Governor if the restriction, which was introduced by the Commissioners, had then existed. In his opinion, his hon. Friend the Member for Stroud (Mr. Winterbotham) had entirely disposed of the arguments of the Solicitor General. The Vice President had asked the House not to interfere, because these statutes had not been before the Privy Council; but if the House was not to say whether they thought the restriction inexpedient or otherwise, why had it been enacted that the approval of the Queen to the statutes should not be signified until after they had been on the Tables of both Houses of Parliament for 40 days? The object of the framers of the Act he took to be that Parliament should have the power, if they were so minded, of expressing an opinion on the subject for the guidance of Her Majesty in Council. The right hon. Gentleman had said that opinions had been gathered; but he would remind him that spoken opinions were not like Resolutions of the House of Commons. Some such Resolution as that proposed by the hon. Member for South Shields (Mr. Steven-

son) ought to be put on record, and, therefore, he should vote for it.

SIR JOHN LUBBOCK said, that if a vote were taken on this question he should go into the Lobby with the hon. Member for South Shields (Mr. Stevenson), for, in his opinion, if there was any fault to be found with the Resolution, it was that it did not go far enough, in not including Eton and Westminster. The question before the House was simply whether the restriction as to the Governing Bodies of the two great schools was expedient or not; but the speech of the hon. Member for Stroud (Mr. Winterbotham) was directed to a wholly different issue—namely, whether the Commissioners had correctly interpreted the 19th clause of the Endowed Schools Act, a question which to a great extent depended on the provisions of the will under which Harrow School was endowed. If the hon. Member for Stroud had consulted that document he thought he would have come to a different conclusion. He contended that the Public Schools Commissioners had shown no spirit of illiberality in those matters. They had simply followed the recommendations of the previous School Commissioners, one of which recommendations was that the members of the Governing Body should be members of the Church of England. It was a grave question whether the Commissioners would have been justified in taking any other course than that which they had actually adopted. He was disposed to take an opposite course, and had endeavoured to persuade his brother Commissioners not to introduce this clause into the statutes; but, regarding the instructions that were before them, he did not think they could be blamed for the course they had pursued. Seeing that the Commissioners had been attacked by Members from both sides of the House, he consoled himself with the reflection that that fact was of itself evidence that they had performed their duties with a spirit of impartiality and fairness.

MR. GLADSTONE said, that if it was intended to go to a Division upon this subject it was material to examine the words which it was proposed to affirm. They were—

“That, in the opinion of this House, it is inexpedient that the Revised Statutes for the constitution of the new Governing Bodies of Harrow and Winchester Schools should require,” &c.

Now, he wished to call particular attention to the word "inexpedient." It appeared to him that that was an ambiguous word, and that its effect was to substitute a false issue for the true one. The question of expediency or otherwise was of a general character; it overlooked the existence of certain laws, and referred them to the principle of policy. But if they were simply to determine the question on the principle of policy, his hon. and learned Friend the Solicitor General had already intimated his opinion to be in favour of it. But, supposing that the House approved of the Resolution, and that it came under the notice of the Privy Council, it appeared to him that they could take no notice of it, and that it could have no weight with them. Their business at present was to proceed according to certain Acts of Parliament, and not in accordance with their particular notions of policy. The two questions were as distinct as east and west, or night and day. The proposition of the hon. Member for Stroud (Mr. Winterbotham) was in effect to review the proceedings of the Commissioners, and to submit their opinions for the consideration of the Privy Council. But if they were to do that, they must not declare an Act expedient or otherwise; but declare that the Commissioners had mistaken the instructions under which they were to act, and had consequently arrived at a wrong decision. Whether the House ought to say that what the Commissioners had done was inexpedient was another matter altogether, and he must own that they were placed in a position of very great difficulty. The case of Harrow was this—that the instruction in the statutes was that the scholars should be instructed "in Nowell's Catechism, or such like work." They had not been instructed in Nowell's Catechism, and, therefore, the hon. Member for Stroud argued that they did not come within the meaning of the Act; but the question was, whether they had been instructed in any similar work, and he understood they had been constantly instructed in the Church Catechism, which was clearly a "such-like work." When he was at Eton he could not recollect receiving instruction in Noel's Catechism, nor indeed in any particular catechism. He was bound to say he believed that the Commissioners had proceeded according to the spirit of

*Mr. Gladstone*

the Act. It was impossible to doubt that the injunctions of the founder had been obeyed in the case of Harrow. For his own part, he owned he could not see a loop-hole in the argument. There was another point, with respect to the personal qualification of the Governors, and it was said that a new qualification had been introduced by the Commissioners—namely, that the members of the Governing Body must be members of the Church of England. He supposed the Commissioners considered whether Harrow ought to be treated as a Church of England school, and if so, whether the members of the Governing Body should be members of the Church of England. The House were perfectly entitled to give an opinion upon the proceedings of the Commissioners, but not as to the expediency of what the Commissioners had done, for it was quite possible that a thing might be inexpedient in itself, and yet have been the right thing for them to do. The Privy Council, he would suggest, was the best place in which this matter could be raised and decided, for they could consider impartially, and with full information, whether the Commissioners had rightly discharged their duty. For such a function the House of Commons was much less qualified, and in any case they were not called upon to act, for the words of the Resolution were not relevant to the purpose which the Resolution itself had in view.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 85; Noes 73: Majority 12.

#### PALACE OF WESTMINSTER—THE CENTRAL HALL.—QUESTION.

MR. BERESFORD HOPE asked the Chief Commissioner of Works, If he could state the names of the Committee of Artists to whom had been entrusted the decorations of the Central Hall?

MR. AYRTON replied that the Committee consisted of Mr. Cope, Mr. Ward, Mr. Watt, Mr. Armytage, Mr. Poynter, Mr. Horsley, and Mr. Herbert.

#### FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY.—QUESTION.

MR. BAINES: Before the House separates there is a Question which the



Prime Minister has permitted me to ask him, and which I desire to put, as it relates to a question of very great interest. From a statement made in "another place" by the Secretary of State for Foreign Affairs we are led to understand that a communication was this day received by him from the French Ambassador respecting the alleged projected Treaty between France and Prussia. I beg, therefore, to inquire, Whether my right hon. Friend is able to inform the House of the effect of that communication?

MR. GLADSTONE: This day M. de Lavalette called upon my noble Friend the Secretary of State for Foreign Affairs and stated that, now that war had been declared between France and Prussia, there remained for him but two objects in the post that he occupies at this Court. Those were to maintain intimate relations between the two Governments, and to preserve the friendly feeling which has arisen and has been the growth of late years, especially between the two nations. He further stated that the plan contained in the alleged draft Treaty which had been published in *The Times* newspaper of yesterday was one which had been originated by M. Bismarck, and had been the subject of some conversation with M. Benedetti, but that it never had any serious basis, and was rejected by both parties. The Marquis de Lavalette went on to say that the Government of the Emperor had absolutely respected the neutrality of Belgium, even when there was reason to complain of its conduct. That, I interpolate, has, no doubt, reference to the time when a discussion took place last year with reference to a certain railway. During this month the Emperor had made a declaration of neutrality to the Government of Belgium, which had also been communicated by M. de Gramont to Lord Lyons, and which, M. de Lavalette said, I must know was absolutely binding on the honour of the Emperor of the French, unless, indeed, neutrality was violated by either of the other belligerents. He then referred to the declaration made in answer to a Question with respect to an assurance of neutrality having been received from several Powers. This is the nature of the communication made by the French Ambassador.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

SUPPLY considered in Committee.

Committee report Progress; to sit again *this day*.

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY considered in Committee.

(In the Committee.)

(1.) £29,615, to complete the sum for Law Charges.

MR. ALDERMAN LUSK remarked, that although the Government were reducing the Army and Navy Estimates, the law charges were higher than ever, and he thought the Government ought to look closely into this matter. He asked last year what was the cause of the large amount of fees to counsel; and he was told that it was on account of the Fenian prosecutions. This year the charge for prosecutions was as high as ever, and yet the Fenian prosecutions had almost ceased.

MR. RYLANDS said, he would be the last man to wish that the Attorney General, the Solicitor General, and the Queen's Advocate should not be properly remunerated. This year the total law charges included in the Civil Service Estimates amounted to £106,000. He thought it desirable that these Officers should be salaried, and he would not object to their receiving very high salaries; but he would have all the fees carried into the accounts of the State. When the Foreign Office required an opinion of the Law Officers of the Crown, all the papers connected with the subject were placed in a sack, and the Law Officers had to wade through this enormous amount of chaff in order to select the small portion of wheat, and then to give their judgment. The whole system connected with these matters was behind the age, and ought to be referred to a departmental committee, with a view of securing efficiency combined with a considerable economy.

MR. WATKIN WILLIAMS remarked that no legal business was so troublesome as Government business, none was so badly paid for, and none so little sought after.

MR. STANSFELD explained that a great part of the charge for law and justice arose under statute; and the in-

crease was accounted for by a series of fresh charges, such as the cost of the Courts of Chancery and Bankruptcy. It was quite true that where the Foreign Office submitted cases to the Law Officers of the Government all the papers on the subject were forwarded. Such a course might be attended with inconvenience, and he was not prepared to say that there was not a case for inquiry.

MR. OTWAY remarked that the Foreign Office was differently situated in this respect from the other Offices. There was a counsel to the Colonial Office, and also to the Home Office; but there was no special counsel for the Foreign Office. In dealing with many delicate questions, such, for instance, as those arising out of naturalization, it was thought better to submit the whole of the papers in the case to the legal adviser instead of drawing up a case. This course, however, did not entail any additional expense.

SIR ROUNDELL PALMER said, there could be no doubt that the remuneration of the principal Law Officers for business actually done for the Government in cases sent by the Foreign Office was not in proportion to the amount of labour done. He did not, however, mean to say that, upon the whole, the remuneration of those officers was not adequate; nor was he at all opposed to making inquiry into the subject. If the remuneration for what was done for the Government was compared, in detail, with the remuneration arising from what was done for private persons it would be found to be very inadequate. The way in which that inadequacy was made up was by means of patent fees, which did not involve great labour, but which brought in large emolument. With respect to the mode in which the Foreign Office cases were stated, he had never, while he was one of the Law Officers, been dissatisfied with it. He thought that if the Law Officers of the Crown were to have the responsibility of advising the Government in difficult matters, it was convenient that they should have the whole of the papers placed in their hands, so that they might form the best judgment in their own minds, instead of taking the result of the facts as seen through the mind of another man.

DR. BALL agreed with the statement of the hon. and learned Member for Richmond (Sir Roundell Palmer) as regarded not only England, but also Ire-

land. Government business was far worse paid than private business.

MR. CHADWICK complained of the heavy fees charged to poor patentees, and suggested that a professional staff should be appointed to assist the Attorney and Solicitor General to complete patents without cost to poor inventors.

*Vote agreed to.*

(2.) £120,633, to complete the sum for Criminal Prosecutions.

MR. ALDERMAN LUSK complained of the travelling expenses of Clerks of Assize. These gentlemen were only six or seven in number, and their travelling expenses exceeded £3,000.

*Vote agreed to.*

(3.) £120,331, to complete the sum for the Court of Chancery.

(4.) £42,315, to complete the sum for the Common Law Courts.

(5.) £52,377, to complete the sum for the Bankruptcy Court.

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £353,632, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the County Courts."

MR. NORWOOD expressed his satisfaction that the vesting of Admiralty jurisdiction in the County Courts, in which he had been instrumental, had proved so successful. The amount of new business transacted had been considerable, and the business, upon the whole, had been managed in a satisfactory manner. The provision had proved specially valuable in the case of foreign shipping and of small ship-owners and bargeowners, and fishermen, who had been enabled to get their claims quickly settled. He having been instrumental in imposing upon these gentlemen extra duty, he had thought it right to bring their case forward. There were only 14 of the Judges who had had any material extra duty cast upon them by their Admiralty jurisdiction; but in the Liverpool district, within the last 11 months, there had been 150 of these causes. He thought, therefore, that the Judges were entitled to some extra remuneration. He would add that the Admiralty jurisdiction of the County Court Judges was exercised mainly for the benefit of the poor.

*Mr. Stansfeld*



Mr. WEST said, he thought that it was a very dangerous thing to ask for increased pay for Judges whenever their duties were increased. In Liverpool, with all the increase of business, the County Court Judges had not sat more than six months in the year. There were 59 County Court Judges in England, and they received on the average more than £1,750 a year each, a sum which was amply sufficient. Instead of saving money by not filling up vacancies in the Superior Courts, he thought that they might reduce the number of County Court Judges to 40, and then they would not have to sit as many days in the year as the Superior Judges sat.

SIR ROUNDELL PALMER observed, that the general subject of County Court Judges was not now under consideration, and therefore it was not an opportune time to discuss it. He considered that the Legislature was entitled to add to the business discharged by all the Judges of the land any other business of a similar nature which these Judges were qualified to perform, and which they had time to perform; and he could not think that whenever it was proposed to give them additional jurisdiction there ought to be a demand for increased remuneration. Besides when equity jurisdiction was conferred upon them, what was then considered a permanent settlement as to the salaries of the County Court Judges was made. If the Legislature threw on the Judges business of a totally different nature from that which they had been in the habit of performing, and involving other qualifications than those which they might be supposed to possess, the case would be different, because that would be asking them to enter into a substantially new contract. He did not think, however, that the Legislature was ever likely to do anything of that kind.

MR. ALDERMAN LUSK complained that there was £15,000 charged for incidental expenses, and £14,704, or £250 each Judge, for travelling expenses. That was a monstrous sum, and required some explanation. He begged to move the reduction of the item by a sum of £5,000.

Motion made, and Question proposed,  
 "That the Item of £14,724 for the Travelling Expenses of Judges be reduced by the sum of £5,000."—(*Mr. Lusk.*)

MR. M'LAREN complained of the  
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number of County Courts in Scotland. There were 80 in that country, while the number in England was only 59. England would have 560 if she had them in the same proportion as Scotland enjoyed them. It was true that the Scotch County Courts possessed a criminal jurisdiction; but this fact was not sufficient to account for the very large number of those Courts.

MR. SERJEANT SIMON agreed that salaries should not be increased simply because the work had increased. The County Courts were established as Courts for the poor man; but they had become Courts for giving rich men cheap law. At first their jurisdiction extended only to debts of £20; that had been increased to £50. Since then they had got an equitable jurisdiction, an Admiralty jurisdiction, and a jurisdiction in bankruptcy; so that a totally different class of men were now required for Judges of County Courts from those first appointed, and who, at that time, were equal to the duties which they had to perform.

MR. RYLANDS said, the use of those Courts by rich men was no objection to them, as he thought that they ought to be open to all classes. He hoped that there would be some diminution in the number of public officials, with a view of meeting more satisfactorily the adequate wants of the public. It would be better to pay a small number of men whose time would be fully occupied larger salaries than to have a larger number on smaller salaries whose time was not fully occupied.

MR. NORWOOD denied that the Admiralty jurisdiction of the County Courts was designed for the benefit of rich men. The High Court of Admiralty was one of the most expensive Courts in the kingdom, and it was in the interest of poor men that an Admiralty jurisdiction was given to the County Courts. It was, he thought, the duty of the Government either to relieve those County Court Judges of a portion of their labours, by a re-adjustment of their Circuits, or to increase their salaries.

MR. ASSHETON CROSS said, the real question to be considered was this—when they had enormously increased the responsibilities and duties of the County Court Judges, whether the salaries were sufficient to draw from the Bar men of sufficient standing and ability to discharge those duties.

MR. LOCKE strongly urged upon the Government the justice of the claims of the County Court Judges to an increase of salary, on account of the many onerous duties imposed on them since the first establishment of these Courts. The number of days that a Judge sat was not the criterion, but the duties which he had to perform.

MR. SPENCER WALPOLE said, he thought that the principle laid down by the hon. Member for Ipswich (Mr. West) appeared to him to be the true principle on which the Committee should proceed with regard to the County Court Judges. If they required more arduous duties to be performed, and a greater amount of ability than those Judges at present possessed, it would be reasonable to increase the salary in proportion to the extra work and acquirements which were expected.

MR. STANSFELD said, that two appeals had been made to him by the hon. Member for Kingston-on-Hull (Mr. Norwood) and the hon. Member for Finsbury (Mr. Alderman Lusk), and, though he was not able to accede to either, he thought the appeal made by the latter was the least unreasonable of the two. He believed that no palpable addition to the number of their days of sitting had followed from the imposition of Admiralty jurisdiction upon the County Court Judges. At the same time, he must decline, on the part of the Government, to enter into the question of the amount—whatever it might be—of additional labour and responsibility which might have been thrown on those officers, because judicial officers were retained and paid by the State for the whole of their time, their energies, and their services; and it was scarcely consistent with their independence and the nature of their duties that claims should be put forward for an increase of their remuneration. The opinion expressed by the hon. and learned Member for Richmond (Sir Roundell Palmer) would, he was sure, commend itself to the approval of the Committee. He agreed with those who held that such salaries ought to be given as would induce able and experienced men to accept them, and he appealed to the House whether, with the salaries that were given, there had ever been experienced a difficulty in getting competent men to accept them. He was not prepared to say that the amount of

the travelling expenses could not be reduced; and that matter might be a fair one for consideration, but they could not be cut down so largely as the hon. Member for Finsbury proposed; and he presumed that the hon. Gentleman would not press his Motion. With regard to the item of £15,000 which had been complained of, no less than £8,000 of it was for postages, and another £5,800 for the conveyance of prisoners to gaol.

DR. BALL regarded these payments for travelling expenses as an injudicious mode of dealing with judicial officers, and referred to the unseemly controversies into which not County Court Judges only, but the Judges who tried election petitions were brought with the Treasury about miserable items of travelling expenses, as illustrating the unsatisfactory character of that arrangement. Where a large trust was reposed an adequate salary should be given, and in fixing its rate they should have regard, not only to the amount of duty to be performed, but to the standard of character and fitness required for its creditable performance. To be allowed to charge for travelling expenses struck at the first principles of judicial independence, and was unworthy of the House of Commons.

MR. ALDERMAN LUSK expressed himself content for the present with the discussion he had elicited, and withdrew his Motion.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(7.) £62,020, to complete the sum for the Probate Courts.

(8.) £9,200, to complete the sum for the Admiralty Court Registry.

(9.) £3,570, to complete the sum for the Land Registry Office.

MR. RYLANDS objected to this Office, observing that it was quite useless, and hoped that it would be reduced.

MR. GOLDNEY said, that two or three years ago an indirect promise was made that it should be ascertained whether this Office could not be amalgamated with some other. There could be no doubt that the Office had been a failure, because it was ineffectual for its purpose, and while the profession generally had set themselves against it, the Office had not been advantageous to the owners of land.

*Mr. Assheton Cross*



The amount of the officers' salaries was fixed by the Act which created the Office, and therefore it was impossible to reduce the Vote; but if the Office could not be amalgamated, it would be more economical to abolish it and give some compensation to the officers for the loss of their posts.

SIR ROUNDELL PALMER admitted that the Office had not been extensively used. It was not popular among professional gentlemen, because few of them liked to advise their clients to incur the possible risk of discovering, by the investigation which must be made, technical flaws in titles which were substantially good; and such was the extraordinary system of conveyancing under which we lived, that there were very few titles, in which some such difficulties might not arise, or at least be apprehended as capable of arising. But the Committee had not now to consider the repeal of the Act which created this Office. He himself believed that it contained the germs of usefulness, and that it would eventually lead to the simplification of titles; while the opposition to it might, perhaps, not be wholly disinterested. He was told that the Lord Chief Baron had personally, and without the assistance of a solicitor, passed through that Office the title to some land in which he was interested at a very insignificant expense. He (Sir Roundell Palmer) would have been himself very glad to register the title to an estate that he bought, but he felt it necessary to wait until some special conditions had worked themselves out; if he lived long enough he should still be desirous of bringing it under the Act: and other people were, probably, in a like situation. Before many years had elapsed the House would have to take further steps towards the simplification of the law of real property, and then this Office would prove useful.

THE CHANCELLOR OF THE EXCHEQUER said, there was much justice in the criticisms which had been passed on this Office; but he hoped that hon. Members would not persevere in their endeavours to break it up. The Office was founded on the Report of a Commission of which Lord Westbury, the right hon. Member for Cambridge University (Mr. Spencer Walpole), and himself were members. Their object was to make the title to land as clear as the title to stock. The measure failed because

Lord Westbury deviated from their Report, by insisting that the title to land should show all the transactions that had taken place upon it. This was as fatal to simplicity as if it were required that the books of the Bank of England should show all the transactions that had taken place with regard to stock. It was with great sorrow that he found the Office had not been successful; and it was quite right to say that the public did not get value for the money which was expended upon it. A Commission had been appointed to consider the subject, consisting of learned conveyancers, presided over by the Master of the Rolls, and it had come to the conclusion that the deviations from the former system were all wrong, and approving of that which had been adopted by the Government. A Bill had been prepared to give effect to their recommendation; but, owing to the extraordinary pressure of business this Session, they had not had an opportunity of carrying that Bill through the House. If hon. Members would be patient, he trusted that another Session would bring the Bill before them.

Dr. BALL said, he thought the Office might be constituted on the principle of the Landed Estates Court, in which one-fifth of the land of Ireland had been sold. Perfect security was afforded, and the whole community derived great advantages.

*Vote agreed to.*

(10.) £16,899, to complete the sum for the Police Courts (London and Sheerness).

(11.) £145,803, to complete the sum for the Metropolitan Police.

MR. CADOGAN asked what proportion of the charge for watching and protecting the Houses of Parliament was borne by the metropolitan police rate and what proportion by the State?

MR. BRUCE said, that the sum of £2,050, voted by the House yesterday, was for the police who watched the two Houses by night. In addition to these there were two inspectors and 39 constables employed about the Houses of Parliament for keeping order and protecting Members, at a cost of £4,319. Of that sum the proportion borne by the Treasury was £428 10s., leaving upon the metropolitan rate the sum of £3,890. He admitted that the subject required

reconsideration by the Lords of the Treasury, with a view to there being an increase in the number of the force available for the protection of the metropolis generally.

MR. W. H. SMITH reminded the Home Secretary that the Houses of Parliament contributed nothing towards the rates, and hoped that the subject would receive consideration.

In reply to MR. ASHETON CROSS and DR. BREWER,

MR. BRUCE said, with respect to habitual criminals, the expression, "supervision," was incorrect. The fact was that the Habitual Criminals Act provided not so much for a supervision by the police, as that those who came under the operation of the Act should be deprived of the advantage of the presumption of innocence which was enjoyed by other citizens. He had intended, but for the pressure of Public Business, to introduce a Bill to amend the Act, so as to make the supervision of the police more complete. He was of opinion that, in addition to the security already provided, it should be enacted that persons subject to supervision should report themselves to the police whenever they left or arrived at any district; that they should, in fact, be put in the position of holders of tickets-of-leave. As to the metropolitan police force, arrangements had been made for giving all the members of that force one day's holiday in every month, and the number of the force would be virtually increased by 900 men under that arrangement. The increased rate of 3s. a week to the sergeants would be a great encouragement to the whole force, because a man of good character and proved efficiency would become a sergeant in five years.

MR. GATHORNE HARDY approved of the holiday granted to the force, for it was very essential that the duties of the police should not be too heavy for them. With regard to other changes made by the right hon. Gentleman the Secretary of State for the Home Department in the management of the police, he would not quarrel with them, but he would watch their effect with some anxiety. As to the police employed in and about the Houses of Parliament, he agreed with the right hon. Gentleman that their payment was more an Imperial than a local question. The very best men were picked out for that

duty, and the Treasury, instead of contributing only a small sum towards their payment, ought to pay, if not the whole of the amount, at all events a very large share.

MR. J. G. TALBOT said, he had understood that the object of the registration of criminals provided under the Habitual Criminals Act was to render it easier to trace the various crimes committed by any one man for which he had been convicted, and in that way to assist the operations of justice in a more effectual manner. There were two different classes of persons in the country; first, those who had been brought up to a life of crime; and, secondly, those who in a moment of temptation or intemperance committed some offence. With the latter they desired to deal in as reformatory a spirit as possible; but with the former class it would be impossible to be too severe.

MR. BRUCE said, the object of his hon. Friend would be better obtained by means of photographs.

MR. WHITWELL, believing that the Chief Commissioner of Police had the superintendence of cabs, wished to know whether they might expect any improvement in these vehicles by the time they returned to town? In Leeds, Liverpool, and other provincial towns the cabs were superior to those in London, although the fares were exactly the same.

MR. BRUCE gave a denial to the last assertion, remarking that the Town Council of Leeds had allowed the fare to be raised from 9d. to 1s. a mile. With regard to Liverpool and Manchester, the fare was 9d. a mile in one of those towns and 1s. in the other. It was true that a new class of vehicles had not yet been produced in the metropolis; but great vigilance had been exercised in rejecting all the inferior cabs. During the inspection last June more than 1,000 cabs were rejected, and the men in charge of the stands reported that there had been a marked improvement both in the vehicles and in the horses. As long, however, as the public would only pay 6d. a mile, they could hardly expect to get a much better class of cabs.

MR. EYKYN said, that there were 8,883 policemen in London, maintained at a cost of about £800,000 a year. He believed that only 5,900 were available for duty in London, and they were at present completely overpowered by the

*Mr. Bruce*



criminal classes. A much better system might be inaugurated if the men were better paid; if they were engaged for short periods with the option of re-enlisting; and if the length of service to entitle them to a pension were reduced from 30 to 15 years. Having been instituted as a civil body, he complained that they were subjected to too much drill, and this he attributed to the military tendencies of their officers. Good cabmen who had not been convicted of any offence should have some distinguishing mark, as compared with men who had committed any offence which a cabman could commit.

MR. BRUCE remarked that some absurd misstatements had been made respecting the increase in the military character of the police. In point of fact, the police were not drilled so much now, when they were under the command of a military man, as they were when they were commanded by a civilian. A certain amount of drill was obviously necessary, as the police were often called upon to act in a body against large mobs. In fact, drill only took place during the six summer months and in suitable weather—the men on duty by day being exempted, and the result was that the men were only drilled for about 16 hours in the whole year. He ventured also to say that, judging the police by any possible tests, instead of being overpowered by the criminal classes, their state was never more satisfactory than at the present time.

*Vote agreed to.*

DR. BALL said, that as the time was now come in which it was stated that the Census Bill would be brought on, he begged to move that the Chairman report Progress.

MR. BRUCE said, he never intended it should be understood that the Census Bill was to come on at half-past 11.

MR. GATHORNE HARDY declared that Government had, through the medium of their "whip," most distinctly pledged themselves to bring on the Bill at that hour, and he had come down to the House specially to take part in the discussion.

The Clerk Assistant, at the Table, informed the House, That Mr. Speaker was prevented by indisposition from resuming the Chair this evening.

Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Standing Order.

The Committee report Progress.

Resolutions to be reported *To-morrow*;

Committee to sit again *To-morrow*.

#### CENSUS BILL—[BILL 211.]

(Mr. Secretary Bruce, Mr. Knatchbull-Hugessen.)

#### COMMITTEE.

Order for Committee read.

MR. ASSHETON commented upon the trouble and inconvenience which arose from having three separate Census Bills for the different parts of the United Kingdom, and urged upon the Government the desirability of accepting as many Amendments as they could, which would have the tendency of simplifying and consolidating the Bills. His object was to pave the way for a single Census Bill for the whole of the United Kingdom—an object which he hoped would be achieved, when the next Census fell to be taken.

Bill considered in Committee.

(In the Committee.)

On Motion, That the Preamble be postponed,

MR. M. T. BASS observed that the Census as at present taken, although it cost £180,000, was not worth the paper it was written upon. He had it, on good authority, that there was scarcely any return of occupations in the Census which was not as defective as that of landowners which was mentioned the other night. For instance, in the last Census the number of brewers, including their workmen, was given as 20,300; whereas a Revenue Return, for which he moved this year, gave the number of brewers, exclusive of workmen, as upwards of 33,000. He was surprised that the Registrar General could submit such incorrect statements to the public; but he understood that that officer was the real obstructive to the obtaining of full information. Under the Scotch Census the condition of the dwellings of the poorer classes was set forth, and he thought the Secretary of State should have power to direct that valuable information of that character should be obtained. He also thought that the number of persons attending the various

religious establishments on the Census day should be given.

MR. LIDDELL said, it was desirable that the House should have before it the forms which the Secretary of State intended to issue. He objected for several reasons to persons being called upon to register their religious persuasion.

Preamble *postponed*.

Clauses 1 to 3, inclusive, *agreed to*.

Clause 4 (Householders, schedules to be left at dwelling houses).

DR. BALL, in rising to move, in page 2, line 14, after "condition," insert "religious profession," said, the object of the Amendment was to ascertain under the proper authority of the State the relative numbers of the different religious denominations in England. Everyone must admit that the inquiry was one of extreme importance to the State, because its ecclesiastical arrangements could not rest on a secure basis in the absence of such a Census; and to the religious bodies, because it was highly desirable they should know what proportions of the population belonged to their respective denominations. It was by some supposed that to have such a Census was disadvantageous to an Established Church, and in one way perhaps it was so, as recording the number of Dissenters; but the advantages more than counterbalanced the disadvantages, for an Established Church ought to be a national Church, and to fill this character it should be comprehensive, and for that purpose it was of vital consequence to have an accurate knowledge especially of those systems of religion which approximated in numbers to the Established Church—otherwise it could never with safety expand or enlarge its limits. The first attempt to acquire this information for the State was made by William III. In Mr. Buckle's *History of Civilization in England* mention was made of a fact recorded in the memoirs of that Sovereign—namely, that after William's death there was found in his papers a Return of the number of members of the Established Church and of the number of Dissenters. From that Return it appeared that the Conformists and Nonconformists were in the relative proportions of 22 4-5ths to 1. William III. instituted the inquiry from motives of sound statesmanship; but it was not till 1851 a second attempt was

made in the same direction. It was made, however, in quite a different manner, and, as he ventured to think, on an utterly erroneous basis. An inquiry was made not as to how many persons would sign themselves as of this or that religion, but as to the number of persons attending the different places of religious worship on a given Sunday. Now, that was an inquiry with which the State had nothing whatever to do. What the State should really ascertain was the extent of the external allegiance given by individuals to a particular system. It was a matter of indifference to the State whether a particular individual was a regular attendant at any church, or whether he agreed in every particular doctrine or every particular formulary of the Church of which he professed himself a member. What the State wanted to know was whether the individual was prepared to support the national Establishment, and if he were not, how far the Church which he did support approximated to the national Church. The question for the State was—What religion does the individual wish to rank himself under? When the individual answered that question, the State could acquire for itself the information as to the degree of agreement between that religion and the religion of the State. In Ireland the religious Census had been taken under these heads—"Established Church, Presbyterian, Methodist, Independent, Baptist, Roman Catholic, Jews; and, lastly, under the head of 'all other persuasions unspecified.'" In the Census, as finally proposed, there were more minute subdivisions. Under the head "all other persuasions" 14,396 signed themselves as professing various creeds; and under the head "unspecified" the number was 4,163. Were not these statistical facts which the State ought to gather? When such information had been acquired in Ireland, where intense religious controversy prevailed, what difficulty could there be in acquiring it in England also? It had been acquired in America also. And he would ask, why should not such a Census be taken by the English people? It appeared to amuse the Chancellor of the Exchequer that the course which had been adopted in every civilized country should now be demanded for England. The religious Census had been carried out successfully



in Ireland and in America. Probably the right hon. Gentleman would say that the Irish were a people remote from the sun, turbulent and barbarous—he believed that was very much the view of his (Dr. Ball's) countrymen to which the right hon. Gentleman inclined—but still Ireland had carried out the Census successfully, and it was only when they came to cultivated, refined, and perfect England that all these difficulties were raised. He was astonished that the Chancellor of the Exchequer should dissent from the proposition to have a religious Census, for if there was any man in the House of whom he (Dr. Ball) would have asserted that he valued science and knowledge of all kinds, pursuing it irrespective of results and consequences, and that he would be disposed to insist upon scientific knowledge as the basis of the process of legislation, it was the right hon. Gentleman himself. If anybody went to the Chancellor of the Exchequer with some proposed ecclesiastical arrangement, he would be the very man to say—"Tell me the elements on which your proposal rests; have you got the figures?" The only objection raised by the Home Secretary to the proposal which he now made was the difficulty in making up the Returns. But how could it be more difficult in England than in Ireland or America? An hon. Member said the other day that if the Returns were made up as he proposed "the Established Church would be credited with the occupants of the gaols and the workhouses." Well, if those occupants so returned themselves, why should not the Established Church be credited with them? In the vast majority of cases the occupants of gaols and workhouses in Ireland returned themselves as belonging to the Roman Catholic community, and that community accordingly was credited with them. It was a most natural thing for persons in such conditions to return themselves as of the religion of the State, for one of the objects of an Established Church was that its ministers should go out into the highways and byways and invite all to come in—to afford religious instruction to those who could not obtain it for themselves, to seek and to save those who were bereft of every other aid and succour. No doubt, as had been said, voluntarism was open to every man; but as Horne Tooke wittily re-

plied—"Yes, in the same way as the London Tavern is open—to every man that pays for it." But an Established Church extended its ministrations to all, however fallen and poor their condition. Supposing that these persons had no feeling of religion at all, it was open to them to answer as 4,000 persons had done in Ireland, who were returned as belonging to "no specified form of belief?" And if there were in England a large number of persons of no specified form of belief was not that a legitimate subject of inquiry? Would England be greater or wiser by shutting her eyes to facts? If there did exist persons who were half-heathen in their knowledge, and half-heathen in their practice, why was not the truth to be ascertained, so that the responsibility for such a state of things might rest in the proper quarter? Of all evils the greatest was to close our eyes to existing facts which were known to us, and the second was wilfully to refuse the means of acquiring knowledge. In the proposal which he now submitted there was neither a party nor a political object; he was perfectly ignorant of which way the inquiry would tell, for he knew nothing whatever of the statistics of England. But in Ireland the information was obtained, and had led to results which, however disapproved, were of great importance. He did not agree with the measure which was founded upon the information so obtained; but he had never denied that the facts did justify the passing of some measure. England, therefore, ought to take warning, lest by steadily and wilfully shutting her eyes to facts, greater calamities even than those which had happened in Ireland might arise, whereas by seeking timely information she might avoid endless controversies and collisions. The right hon. and learned Gentleman concluded by moving his Amendment.

Amendment proposed, in page 2, line 14, after the word "condition," to insert the words "religious profession."—(Dr. Ball.)

Question put, "That those words be there inserted."

The Committee divided:—Ayes 77; Noes 90: Majority 13.

SIR JOHN LUBBOCK moved to insert the words "whether married to a

first cousin." It was of great social importance to ascertain the number of consanguineous marriages, and the result on the health of their offspring.

Amendment proposed, in page 2, line 14, after the word "condition," to insert the words "including whether married to a first cousin."—(*Sir John Lubbock*.)

DR. LYON PLAYFAIR said, it was highly desirable that as much information as possible relating to the health and well-being of the community should be deducible from the Census Returns, especially when the facts could be obtained without much additional expense or inconvenience. The subject of consanguineous marriages was one both of physiological and social interest. If they were to reason by analogy from plants and from domesticated animals, it seemed clearly made out that physical deterioration was the result of such alliances. Even when they were not deteriorated in structure, it would appear that there was a decrease in fertility, and a tendency to malformations, resulting from a lowering of vital powers. At all events, the evidence pointed in that way, and made scientific men anxious to have data from which conclusions could be drawn in regard to man. If the results of a Census, in which consanguineous relations were described, proved that the progeny were as numerous, and grew up with an equal persistence and vigour as in the case of cross marriages, then an important step would have been gained in removing a prejudice which now existed, and had at all times existed, both among civilized and uncivilized peoples. If, on the other hand, a discussion of the facts elicited showed that there was a physiological degeneration of the progeny of such marriages, then important results for the guidance of the community would have been attained. But, in either case, the information sought for could be acquired with little trouble, and would prove important in its negative or positive result. He trusted, therefore, that the Home Secretary would consent to ask for the information so much desired by the hon. Member for Maidstone (*Sir John Lubbock*), whose scientific authority on such subjects was deservedly high.

MR. GATHORNE HARDY trusted that the Amendment would not be pressed. He did not see the desirability of holding up families where such mar-

riages had taken place to the public, and the children being held up to be anatomised for the benefit of science. He was not satisfied that plants and animals were troubled with the failings which attached to ordinary humanity, and he was averse to the offspring of the marriages in question being held up to the examination of scientific men. Such children would be held up as discreditable.

MR. BRUCE observed, that this matter had been the subject of very considerable discussion, and there were arguments nearly as strong on one side as on the other. The question appeared to him to be how the proposition would affect the future generation. There was no doubt that if marriages of near relatives were productive of the evil consequences assigned to them such marriages ought to be discouraged. He saw no conclusive objection to the proposed inquiry. The Census would give no names, it would give only results. He had heard that the marriages of near relations had a tendency to increase the number of deaf and dumb children. Then inquire into the truth of the rumour.

MR. BERESFORD HOPE invited the Committee to consider what it was really called upon to vote for. Personally he was opposed to the marriage of first cousins, so in what he was saying he had no desire to help such alliances. But the demand for statistics such as the hon. Member for Maidstone (*Sir John Lubbock*) desired to collect would be overweighted with a prejudice against that class of marriage, and would be felt to be so by those on whom the call was made. On the other hand, there would not be any compulsion to make the return, while, in many instances, the previous relationship of husband and wife might be unknown in their neighbourhood, and the risk of being found out therefore *nil*. Thus, all the temptation would be in favour of acknowledging the marriage where there was a healthy and sound-minded progeny, and of concealing it where there were unhealthy children or none at all. So, for the very object for which the hon. Baronet desired the return—namely, to test the healthfulness of such alliances—it would be fallacious and worthless.

MR. D. DALRYMPLE asked, why the last speaker was averse to these

*Sir John Lubbock*



marriages? Why, because he thought they were injurious. A strong opinion prevailed that the marriages of first cousins were injurious. Then let the nation get at the facts. He knew a case of the marriage of first cousins where 12 children resulted, and six of them were in a lunatic asylum. Let then the facts be determined, and let not the subject be got rid of by a sneer.

MR. LOCKE said, this was a piece of the grossest cruelty ever thought of. He was surprised that his hon. Friend who had just sat down should want this information, because he seemed already to know all about it. On the last vote hon. Gentlemen were so scrupulous as to say that Nonconformists were not to be called upon to say that they were Nonconformists, and now it was proposed to compel first cousins who were married to make a return to that effect. If on this occasion the philosophers were allowed to have their way, he was perfectly satisfied this Census Bill would be one of the greatest misfortunes, for every species of mental torture would be applied. Did they intend to introduce a Bill to forbid first cousins from marrying? Every year a Bill was brought in to enable a man to marry his deceased wife's sister, and if there were to be legislation about the marriage of first cousins also, the whole time of the House would be taken up in deciding who was to be allowed to marry anybody else.

MR. COLLINS said, if they were to have this information they must go a good deal further. For the last 25 years the House had discussed the question of the desirability of contracting marriages within certain degrees of affinity. It was now proposed that there should be a Return as to consanguineous marriages. It would be far more valuable for legislative purposes to require that there should be a column for persons who had married their deceased wives' sisters or deceased husbands' brothers. That would be a practical question, whereas this was purely inquisitorial. The only object could be to stigmatize certain marriages to which he personally objected, but upon which he did not think Parliament ought to cast a slur.

MR. RATHBONE said, he thought that it was really important to ascertain whether these marriages were injurious or not.

MR. MELLY said, the proposed re-

turn would be in the highest degree inquisitorial, and, unless pushed further, would be of no advantage whatever. It would be perfectly useless to get an answer as to the number of persons who had married their first cousins, unless it was followed up by further inquiries as to the number, health, and mental condition of their children.

DR. BALL said, that the proposal was defended on physiological grounds; but if that were sufficient ground for inquiry there ought to be another inquiry as to the number of cases in which there were twins. Suppose it was found that there were 10,000 persons who had contracted such marriages, would the public be a bit the wiser on that account?

MR. BRUCE, though not persuaded that the inquiry would not be advantageous, recommended that the Amendment should not be pressed, as the opinion of the Committee did not appear ripe on the question.

SIR JOHN LUBBOCK assured the Committee that he had not put the Amendment on the Paper without due consideration, and without consulting persons competent to form an opinion. The statistics alluded to by the hon. Member for Stoke (Mr. Melly) could be obtained from hospitals, lunatic asylums, &c.; but they threw no light on this question, because we did not know the proportion of marriages of first cousins. That proportion was the clue, and would be supplied if the Committee adopted his Amendment. He was glad that almost all who had spoken had expressed an opinion against these marriages. From the expression of feeling on the part of hon. Gentlemen around him he thought it would be better to take the sense of the Committee on the question.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 45; Noes 92: Majority 47.

MR. MACFIE moved an Amendment, with a view to enable the Home Secretary to reconsider the question of a religious Census, and to ask persons to make a purely voluntary return, if they chose, of their religious persuasion. He sought first to obtain the statistics of the attendance at places of worship on a particular Lord's Day, and next to allow each person who liked to do so to state the denomination to which he belonged.

MR. BRUCE opposed the Amendment, on the ground that it was substantially the same Amendment that had been already negatived.

LORD JOHN MANNERS said, if it were the same he must support it; but it was so different that he could not do so.

Amendment *negatived*.

Clause *agreed to*.

Clause 5 *agreed to*.

Clause 6 (Enumerators to take an account of houses, &c., and to distinguish the boundaries of parishes, boroughs, &c.).

Amendment proposed,

In page 3, line 17, after the word "division," to insert the words "stating the number of rooms (including the kitchen, if any, as a room) having a window or windows, not being windows with a borrowed light, in each dwelling-house where occupied as a whole, or where let in different stories or apartments, and occupied distinctly by different persons or families."—(Mr. Miller.)

MR. BRUCE opposed the Amendment, believing that the provision was unnecessary, and that it would add enormously to the expense of this inquiry.

MR. ORR EWING supported the Amendment, which required a Return that was already made in Scotland, and was found to give very useful information.

MR. CHADWICK urged the Home Secretary to accept the Amendment, or the Mover to divide the Committee, on the ground that the information sought would be most valuable in a sanitary point of view.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 56; Noes 57: Majority 1.

Clause *agreed to*.

Remaining clauses *agreed to*.

House *resumed*.

Bill *reported*; as amended, to be considered upon *Thursday*.

SUNDAY TRADING BILL—(Lords.)

[BILL 68.] COMMITTEE.

ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Amendment proposed to Question [19th July], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

Mr. Macfie

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(Sir Henry Hoare.)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed*.

Motion made, and Question proposed: "That the Debate be now adjourned."—(Mr. Macfie.)

Motion, by leave, *withdrawn*.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 22; Noes 15: Majority 7.

Main Question put.

The House *divided*:—Ayes 22; Noes 9: Majority 13.

House adjourned at a quarter before Three o'clock.

## HOUSE OF COMMONS,

Wednesday, 27th July, 1870.

MINUTES.]—SUPPLY—considered in Committee—Resolutions [July 26] reported.

PUBLIC BILLS—Ordered—Beerhouses\*.

Ordered—First Reading—Constabulary (Ireland)\* [241]; Common Law Procedure (Ireland)\* [242]; Pensions Commutation Amendment\* [244]; Divine Worship in Licensed Buildings\* [245].

Second Reading—Queen Anne's Bounty (Superannuation) [114]; Brokers (City of London) [71]; Ballot [23].

Committee—Public Schools Act (1868) Amendment [200]—R.P.

Committee—Report—Benefit Building Societies\* [116-243]; Corrupt Practices Acts Amendment\* [235].

Considered as amended—Third Reading—Factories and Workshops\* [233].

Third Reading—Pedlars' Certificates\* [199]; Turnpike Acts Continuance, &c.\* [125]; Local Government Supplemental (No. 4)\* [226]; Sanitary Act (1866) Amendment\* [189], and passed.

QUEEN ANNE'S BOUNTY (SUPERANNUATION) BILL—[BILL 114.]

(Mr. Bouverie, Mr. Gathorne Hardy.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Bouverie.)



MR. RYLANDS, in rising to move, as an Amendment, that the Bill be read a second time upon that day three months, said, that practically the Bill was one for granting to Mr. Hodgson, who was the secretary and treasurer of the Queen Anne's Bounty Board, an annuity. Mr. Hodgson was first appointed nearly 50 years ago, and his salary had been for some years past £1,350 a year; and, in addition to that, he had been provided with a house rent free. Further, this gentleman, in this large house, in which the Governors of the Board held their meetings, was allowed to conduct his private professional business as an ecclesiastical lawyer; and, in addition to all that, Mr. Hodgson for some years was secretary to some of the right rev. Bishops. He had certainly given up those secretaryships; but his relative (and partner) conducted such business, from which he derived large profits, in the very house provided by the Governors of this Bounty Board. Mr. Hodgson was also some years clerk to the Dean and Chapter of St. Paul's, and steward of several manors, and the duties of all these offices were performed in the house provided by the Governors of this Bounty Board, and now, when Mr. Hodgson had ceased to be able to conduct the business of the Board, the Governors united together in recommending that he should be granted a superannuation—out of what funds? Why, out of Church funds—Church funds which had been provided for the poorest incumbents in the Church of England; and in order that that might be done, the most rev. and right rev. Bench of Bishops asked the sanction of Parliament—they asked Parliament to give this well-paid gentleman an annuity out of funds placed under their control for the poorest incumbents in the kingdom. This gentleman had not had much to do in his Office. [Mr. NEWDEGATE dissented.] The hon. Member for North Warwickshire shook his head; but he (Mr. Rylands) had good authority for saying that the duties of the Office were of a routine character. A Paper had been sent round by the Governors, setting forth that they had been accustomed to grant superannuation allowances, and if that were so, why did they now come to this House for its sanction to do it? But the evidence taken before the Select Committee of 1868 showed that an annuity was

granted to one gentleman many years ago, and that that was under very exceptional circumstances. He would suggest that the duties of this Board should be amalgamated with those of the Ecclesiastical Commissioners. He would be glad to see the Bounty Office dealt with by an Act of Parliament, for certainly some legislation was requisite. He could not help thinking that if Mr. Hodgson was too aged to attend to the duties of his office, he ought to retire, and without a pension to be paid to him out of these public funds, and, therefore, he begged to move that the Bill be read a second time upon that day three months.

MR. RODEN seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Rylands.*)

MR. NEWDEGATE: Sir, the hon. Member for Warrington (Mr. Rylands) has not confined his observations, while opposing this Bill, to the subject of it, but has entered into the wider questions involved in the proposal to amalgamate two Boards, the Bounty Board, and the Ecclesiastical Commission; and it happens, Sir, that I served for two Sessions upon the Committee to inquire into the proceedings and the business of the Ecclesiastical Commission, and afterwards for one Session I served on the Committee to which the hon. Member has referred, and which was appointed for the purpose of inquiring into the proceedings of the Bounty Board. Having therefore been a member of both these Committees, perhaps the House will excuse me if I venture to make a few remarks. The hon. Member for Warrington seems to me to be sadly in want of information, although he seems to have consulted part of the proceedings of the Committee, which inquired in 1868 with respect to the Bounty Board; but he almost totally ignored the Report, although he has noticed part of the proceedings and part of the evidence. Of the proceedings of the Committee upon the Ecclesiastical Commission he seems quite ignorant, and the hon. Member has advanced the opinion, that the House could not do better than set aside the Report of the Committee on the Ecclesiastical Commission, and the Report of the Committee upon the Bounty Board,

which considered this subject of amalgamation incidentally in 1868. The hon. Member recommends an amalgamation, which has been recommended by neither of these Committees. In this respect the hon. Member's opinion is in opposition to the Reports of both the Committees. Then, Sir, the hon. Member referred to the immediate subject-matter of this Bill, the principal object of which is to provide superannuation for officers of the Board hereafter, upon a scale reduced and approved by the Treasury—a scale analogous to that which has been adopted for the Ecclesiastical Commission by Parliament — analogous also to the system of superannuations, which the Charity Commissioners have approved in the case of various charitable corporations. There are, therefore, the authority of the Treasury, the practice of the Ecclesiastical Commissioners, and the practice of the Charity Commissioners in favour of these superannuation allowances which the hon. Member condemns. Then, Sir, the hon. Member fixed his attention particularly on the case of Mr. Hodgson, the secretary and treasurer of the Bounty Board, and the hon. Member went so far as to say that he thought Mr. Hodgson had, during the whole period of his 48 years' service, been very much over-paid — [Mr. RYLANDS: Hear, hear!] — and that it would be conduct creditable to him, and he even went so far as to say honourable in him — [Mr. RYLANDS: Hear, hear!] — if he rejected at once the superannuation, which is offered to him by this Bill, in his 87th year. Well, Sir, that would not, I believe, be in accordance with the judgment of any member of the Committee who served with me, and the objection to all superannuation allowances was not the judgment of the House generally, because it does so happen that the hon. Member for Warrington has such an aversion to the idea of any superannuation allowances under any circumstances, that upon the general subject he divided the House last year; but in favour of his opinion there were only 28 votes, while against it were 139 votes. I think, therefore, I may assume that the general judgment of the House is against the opinion of the hon. Member upon this subject, no less than is the practice of the Ecclesiastical Commissioners, no less than is the practice of the Charity Commissioners, and no

less than is the opinion of the Treasury, so far as I know; for I believe the Treasury have approved of the general scheme of this Bill. Sir, I am not complaining that any hon. Member should advance any opinions that he may entertain. I myself have very often been called crotchety and obstinate, and I do not blame the hon. Member, if such is his feeling about all superannuations, for advancing his opinion; but I hope the hon. Member will forgive me for showing him the mass of experience and the mass of opinion which is opposed to his suggestion in this particular case. But then, Sir, the hon. Member, after the terms which he has been pleased to apply to Mr. Hodgson, will excuse me if, having known what the conduct of that gentleman has been for 20 years and more, I express the opinion, that he is somewhat unjust in these expressions. Now, why is Mr. Hodgson paid a large salary? It is because his salary has been increased according to the accumulation of his work. He is, Sir, the secretary and treasurer of the Queen Anne's Bounty Board, and the Queen Anne's Bounty Board consists not only of the Bishops, but of the Lords Lieutenant, the *Custodes Rotulorum*, yourself, Sir, some other high officers of State, the Judges, and all the Queen's Counsel. I value that Board: and why do I value it? Because it has to deal with £3,200,000 of property belonging to the Church, and has to be the dispenser of it in a prudent and effective manner. If the House consider the organization that is provided for the disestablished Church of Ireland, I think they will see that in these two organizations, except that no officers of State are incorporated for the disestablished Church of Ireland, there is a strict analogy, a similarity of principle between this new organization and the composition of this Bounty Board. I admit that it would be an advantage if the lay members of the Board would attend more frequently and regularly than they do, but their not attending is entirely a matter that rests with themselves. [Mr. MONK: No!] Sir, I have considered this subject, because I was very anxious, and for 10 years in this House I attempted to obtain a commutation of the church rate and the reorganization of the parochial system for the maintenance of the fabrics of the Church, and after deep consideration, and, after hav-



ing served on several Committees, I could find no organization in which the laity of the Church of England were so adequately represented as in this very Bounty Board. There is conclusive proof that this body is capable of economical action, and it is this—that they selected so good an officer, charging him successfully with duty after duty—this very Mr. Hodgson—and the fact remains, which the hon. Member has admitted, and which I, as a member of those two Committees, have tested, that whereas the cost of management by the Ecclesiastical Commissioners is  $12\frac{1}{2}$  per cent, chiefly by the exertions of this very man, as the centre of the operations of the Governors of the Queen Anne's Bounty Board, the business of that Board is conducted for  $2\frac{1}{2}$  per cent. And this is extended over no less than, in round numbers, £3,250,000 of capital. Now, how is that capital invested? I think there are 4,000 recipients from its proceeds in one class, and there are some thousands under another. Are these transactions merely the transactions of bankers? for it is thus that the hon. Member described the business conducted by the Bounty Board. Why, Sir, if any donation is offered to increase the value of a living—if any proposal is made to purchase land for a living with their assistance—it is the duty of this Board to aid that purchase, within certain limits of income held with the living; to investigate that proposal, to ascertain whether the purchase is advantageous, and to satisfy itself whether the title is good. The duty of the officers is to conduct these investigations and, on their responsibility, to advise you, Sir, and the other Governors of Queen Anne's Bounty, whether that transaction is such as would be for the advantage of the living and the parishioners. The same observations apply in the case of the building parsonage houses, where sums are lent to facilitate the erection of parsonage houses. Of course inquiries have to be made. Such investigations surely do not answer the description which the hon. Member has given of the Board as that they are merely carrying on the business of bankers. The superannuation proposed by the Bill for the treasurer and secretary is larger than that proposed for other officers of the Board; but it cannot last for many years, and really I must say to this House, presided over

by yourself and Speakers, who have all been members of this Board, when the transactions of this Board have been so creditably conducted and on such an economical scale, that the circumstances do justify some peculiar mark of respect for the person, who has acted as the centre, for such he has been as the secretary and treasurer, for so long a period, of this large body of Governors, and has so largely contributed to place the Board in the position which it now occupies. It was Mr. Hodgson chiefly, who contributed to bring the business of the Board to that condition in which it was able to lend £600,000 to the Ecclesiastical Commissioners. And I believe that the general feeling of the Committee, of which I was a member, is, that there is more reliance to be placed in the security of that capital, as now returned to the Bounty Board, than there was while it remained in the hands of the Ecclesiastical Commissioners, and partly for this reason—the action of the two Boards is totally distinct. The business of the Ecclesiastical Commissioners is to grant annuities out of certain funds, appropriated from the revenues of the Church by Parliament for that purpose. I have strongly urged, where I had the opportunity, the Ecclesiastical Commissioners to go to the extreme limit of prudence in order to increase the stipends of poorer clergy in populous districts. If, therefore, there has been anything like imprudence in what they have done, in that respect, I feel myself accountable for having contributed to urge the Commission in that direction. But that which is the function of this Bounty Board is to hold capital, caring for its investment—not idly, but ready for re-investment, by meeting benefactions, and thus appropriating capital to the advantage of the Church, wherever there should be a demand for capital. This Board deals with capital; the Ecclesiastical Commissioners with annuities. This difference of function entails totally different systems of action; and I must say, Sir, that, considering that Mr. Hodgson has been engaged in this work for 48 years, and has, in that time, succeeded in combining the action of that department until it has become so thoroughly efficient and so thoroughly economical, I cannot but think that this House would do well to acknowledge its sense of such services by allowing to him this proposed

retiring annuity for the very few years he can enjoy it. His is, to my mind, an exceptional position; otherwise I frankly agree with the recommendations of the Committee, that, now that the whole process of the business of this Board has been brought into complete order, there may be a reduction of salaries hereafter. I am in favour of the system of superannuation, because I think it better to pay a man in part, at all events, after his work is done, than while he is doing it; and the work done by this officer has been so efficient, and I may say so admirable, that, to my mind, in his case it would be only an act of justice on the part of this House to agree to the recommendation which the Board have made and the Treasury has sanctioned.

MR. DICKINSON said, it would be better to confine themselves to the Bill before the House, and it appeared to him to be one for the purpose of enabling pensions to be granted to all the officers of the Board, and not to Mr. Hodgson only, and the question was whether that would be advisable. He thought that there should be a check upon creating these superannuation allowances to persons who were filling offices in *quasi* State Departments. The question was, what was the contract made with these gentlemen? They were well paid for their services, and if Mr. Hodgson was too aged to attend to his duties, he ought to retire; and he had no right to say he would hold on unless he received an annuity, particularly as it appeared that in future the scale of pay to these gentlemen would be lower. He would support the Amendment.

MR. BERESFORD HOPE said, he wished, as a Member of the Committee of 1868, to say a few words in support of the Bill. He must complain of the course the argument had taken. Two totally distinct questions had been brought forward—one, the Bill now before the House, and the other a proposal to fuse the Ecclesiastical Commission and the Bounty Board together. The object of the Bill was to reduce the scale of salaries to officers under the Bounty Board, and to establish a regular system of superannuation allowance. No doubt there was no contract with Mr. Hodgson under which that gentleman could claim a superannuation allowance; but the hon. Member for Stroud (Mr. Dickinson)

seemed to have forgotten that it had been stated that occasional superannuation had been granted by the Bounty Board, under exceptional circumstances, which might occur again. It was said that this case of Mr. Hodgson's was not exceptional; but, surely, the fact of a man presiding for 49 years over a department with such singular ability and efficiency did form an exceptional case. Mr. Hodgson's duties required great care, attention, and judgment in their performance, and they had been very ably performed by that gentleman for nearly half-a-century. Mr. Hodgson's superannuation could not be made into a precedent, for the Bill only gave superannuations to those who were in the Office before 1829; and Mr. Hodgson himself was the only one who came into that class. He thought it would be a most pitiful economy if they did not consider and recognize the claims of so venerable and meritorious an officer. With regard to the proposal for amalgamating the Bounty Board with the Ecclesiastical Commission, the Committee of 1868 disapproved of such an arrangement.

MR. WHITWELL said, the promoters which the Bounty Board had already the of this Bill asked for powers to do that power of doing, and therefore there must be some weakness in the Board or some doubts in the minds of the Governors which induced them to ask for these additional powers. The time must soon come when the House would have to take into its consideration the whole question of the administration of Church funds. The House was not called upon to legislate for the individual cases to which allusion had been made; but for the retirement of all persons who might be hereafter appointed. Fresh offices and duties had been put upon Mr. Hodgson; but no hint had been given of the probability of his being over-weighted with work. The hon. Member for North Warwickshire (Mr. Newdegate) had referred to the Bounty Board as being a representation of the laity. The Board in question consisted of 600 individuals; but of what use was a Board that could not secure a proper attendance? It was supposed by some hon. Gentlemen that all the lay members were able to attend; but Mr. Aston, when asked as to the mode of summoning a General Court—whether notice was sent to all the Gover-



nors or only to a selection of them—stated that notices were sent to all the Archbishops and Bishops, and to the sword-bearer of the Lord Mayor of London. Under the old charters, seven Governors were required to attend to form a quorum; but some time since they applied to Parliament to reduce the number to five, so as to enable them to form a Board. This showed that the Bishops did not consider the office one of great responsibility or importance. He wished to direct the attention of the House to one other point. Queen Anne's Bounty was the produce of a fund that was once claimed by the Popes, but afterwards appropriated by the Sovereigns of the realm to send out their forces to the Holy Land. The amount then was £16,000 or £17,000 per annum; but under the present system of management it had fallen to £14,232. When he found so large a sum as £6,517 paid in salaries, he felt that the House ought not to encourage an additional charge for superannuation when one gentleman had been for years in the receipt of not less than £3,000 a year—not all from this office, but from this and other offices, including his partnership in a lucrative business which was carried on in the very premises of the Bounty Board. The amount which it was proposed to bestow on him by way of pension would be far better bestowed upon the incumbents of some poor livings in the vales of Yorkshire. There could not be much trouble in managing the accounts, for the receipts and payments were principally in cheques. In fact, it was little more than a banking account, and could be managed for £1,600 a year instead of £6,000, and any respectable business house in London would transact all the business for a much smaller sum. He maintained there was no need at present for special legislation, and he thought that the Bill should be withdrawn, so that the whole subject might be fully considered by a Select Committee, in order that the property of the Church might be brought to light, and that the public might learn where it was, of what it consisted, and how it was invested. By the charters of the Board it was required to lay before Parliament in March each year a balance-sheet made up to the close of the preceding year; but it was made up in such a way that it was impossible for anyone to under-

stand it, so as to ascertain what was the actual amount of income, or its real character. It was merely a statement of incomings and outgoings, and it was not made up for the year preceding, but for the previous preceding year. It was surprising that the House should be content with such a statement, and he trusted that a Committee would be appointed to ascertain the responsibilities of the Board, and whether it was able to meet those responsibilities. The whole subject might be more properly discussed next year.

SIR MICHAEL HICKS-BEACH said, there could be no doubt that when public property of so large an amount was managed by public servants, the expense of doing so must be considerable, for such men must be trustworthy and command their price. This was not a question which simply affected Mr. Hodgson, who was 86 or 87 years of age, and whose pension could not last for many years, but it was a question affecting the whole system of superannuation in the Bounty Office; and the object of the Bill was not to introduce superannuations, but to place that system under those rules and regulations which applied to all other superannuations. The constitution of the Bounty Board, which was of a peculiar character, had been defended by the hon. Member for North Warwickshire (Mr. Newdegate). He hardly concurred in the opinion which had been expressed by the hon. Member, because a Board consisting of 600 persons, comprising all the Privy Councillors, Bishops, Deans, Judges, and Mayors of towns could hardly be considered a proper body to regulate the affairs of such an institution. He did not think the issue in the least touched the question whether the Board was good or not. On the contrary, he thought it would be well, with the view of carrying out the other recommendations of the Committee, to pension this officer, which would enable them to reconstitute the Board and appoint a new Secretary and Treasurer, with an appropriate salary, and in fact secure that Queen Anne's Bounty should be properly managed. He would not enter into the question of the expediency of uniting the management of the Bounty Board with the Ecclesiastical Commission; for the way in which that Commission managed their business did not incline him to place any further powers in their hands. He did

not wish to find any fault with the old members of that Commission, whom he believed to be men of considerable ability who attended very regularly to their duty. The question, however, was not really before the House at present, and was too large a one to be dealt with in any supplementary manner.

MR. R. SHAW said, the hon. Member for Warrington (Mr. Rylands) had understated rather than overstated his case. The Bill proposed to give a power to the Board of Queen Anne's Bounty never before possessed by that body. He, for one, objected to superannuating the present officers, who had long enjoyed high salaries, some for a period of even 40 years. He maintained that this was not the Bill of the Bounty Board, but the Bill of the officials in the Bounty Office. It was introduced in the early part of the Session, and it was brought forward at the present period with the hope of getting it through, the real reason for all this anxiety being that the officials found it convenient to put forward Mr. Hodgson's name. There was a block in the Bounty Office, Mr. Hodgson, who entered the Office in 1822, refused to retire, though he was unable to perform the duties of his office; and this Bill was introduced to enable the Board to retire Mr. Hodgson on a pension. But Mr. Hodgson had no real claim, for he had been allowed to enjoy a large and remunerative private practice as a solicitor, and he and his partner, Mr. Lee, were secretaries to two Archbishops and eight Bishops, and besides that Mr. Hodgson was clerk to the Dean and Chapter of St. Paul's, and held several other lucrative offices. If this Bill were pressed forward at this late period of the year, he (Mr. Shaw) was ready to stop there until the last hour of the Session to endeavour to defeat it, and should offer to it all the opposition which the forms of the House allowed.

MR. STANSFELD said, the House would bear in mind that they were now discussing not the details and clauses of this measure, but merely its general principles. Last year Her Majesty's Government and the Treasury considered the question, and came to the conclusion that they would not be justified in objecting to the introduction of a measure of this description. It would, indeed, be a rather strong course to take to say that the Governors of this Bounty should

not be entitled to come to the House to ask for the second reading of a Bill enabling them to superannuate officers with whose services it became desirable to dispense. But assuming the second reading to be carried, of course many of the questions raised that day would occur again in Committee. He rose now merely to indicate the course which the Government would take if his right hon. Friend (Mr. Bouverie) should, in the face of a very considerable opposition to the measure, proceed further with it, notwithstanding the lateness of the Session. Comparison had been made with the Superannuation Act of 1859; but his right hon. Friend seemed to forget this fact—that that Act had been preceded by others, and that it did not confer for the first time the right to grant superannuations, but regulated, and in many respects diminished and restricted that right. This bore on the very 1st clause of the Bill, which was to enable the Governors of Queen Anne's Bounty to confer a special superannuation on one individual. It had not been stated that that gentleman entered the service of Queen Anne's Bounty on any contract to have a superannuation, and he (Mr. Stansfeld) thought his hon. Friend's (Mr. Ryland's) arguments had not been answered upon that point. If, therefore, they went into Committee on the Bill, and any hon. Member felt disposed to move the omission of the 1st clause, he should feel compelled to support its omission. With reference to the other officers, the Bill involved a dangerous application of a new power. He could understand a proposal to enable the Governors to grant superannuations on certain terms to officers who might in future enter the establishment; but the Bill seemed to convey a new right to superannuation to all the present officers, and it might be so interpreted. He should, therefore, consider it his duty to move a clause to the effect that the Bill should not confer a right to superannuation on any officer of the Board further than he would have been entitled to if this Bill had not been passed.

MR. GATHORNE HARDY said, he must confess that he had heard with the most profound astonishment the speech of the right hon. Gentleman (Mr. Stansfeld), for he (Mr. Gathorne Hardy), distinctly understood that the Treasury had



in writing expressed their assent to the measure. It was only on that understanding that he had allowed his name to appear on the back of the Bill.

MR. STANSFELD: My understanding—but I am subject to correction—is only that the Treasury did not object to the measure.

MR. GATHORNE HARDY said, he could have no doubt on the subject. The arguments to which, in the opinion of the right hon. Gentleman, no answer had been given, had been amply replied to by the hon. Member for Kendal (Mr. Whitwell), who said that in this Bill there was nothing which the Governors had not the power to do now, and that in the accounts which had come before Parliament it appeared that they had granted pensions which had been sanctioned without any objection being taken. This Bill was brought in for the purpose of regulating those powers, and bringing them under the control of the Treasury. Why should not these persons be put upon the same footing as the officers of the Ecclesiastical Commission? This was an office of great importance to the laity and to the Church, and Mr. Hodgson (about whom he knew nothing personally), from all he had heard of him, had efficiently discharged his duties, and was trusted by those whose interests had been committed to his hands. He would now pass on to the conduct of the Treasury, between whom and the officers of Queen's Anne's Bounty a correspondence took place last year respecting this Bill. An objection was, in the first instance, taken to the special provision which related then not only to Mr. Hodgson, but to three other old officers who had since died. However, representations having been made to the Treasury, a letter was written on the 28th April, 1869, by Mr. George Hamilton, who was then the Secretary of the Treasury, upon which the Bill was brought forward, and upon which he assented to have his name placed on the back of the Bill. Mr. Hamilton said, in that letter, that he was directed by the Lords of the Treasury to say there was no longer any objection to a measure enabling "the Governors to grant superannuations to the officers and clerks in their service;" that it would, however, be better to leave the Bill in the hands of Mr. Gathorne Hardy and Mr. Bouverie, as they were willing to take charge of it, and that "my Lords

were prepared to give the Bill their support." He certainly understood that undertaking to extend not only to the 1st clause, which the right hon. Gentleman now said he would omit, but to the whole Bill. It was, therefore, with no small surprise that he had heard the remarks which had just fallen from the right hon. Gentleman.

MR. STANSFELD said, he held that the Treasury, after the letter referred to, were bound not to object to the introduction and consideration of this Bill. It was perfectly true that Mr. Hamilton approved of the clause to which he (Mr. Stansfeld) now objected; but he took care to communicate to the Governors of Queen Anne's Bounty that he would take the course he was now taking.

MR. BOUVERIE said, he was unwilling to detain the House; but perhaps he might be allowed to occupy their attention for a few minutes. He thought he had some right to complain of his hon. Friend the Member for Warrington (Mr. Rylands), and of those who supported the hon. Member, for the course they had taken. With opinions very much in accordance with theirs he had taken a part in bringing forward this Bill. They desired a reformed Bounty Office, yet they opposed this measure, which certainly was a step in the right direction. He quite agreed that the secretary of Queen Anne's Bounty was overpaid, and the existing arrangement of having the office of the Bounty at the private office of the solicitor was thoroughly unsatisfactory. The fact that the salary was large was a reason why Mr. Hodgson should not be willing to retire; but a necessary preliminary to reform was to retire the present secretary, and an efficient officer might then be appointed with a much less salary. Now, he believed, there was no doubt the Governors might have superannuated this gentleman themselves on their own authority. They were advised that they might have done so. Practically they had superannuated other officers, and the hon. Member for Kendal (Mr. Whitwell) had given an instance of that. But they were anxious to have the approbation of Parliament, and to proceed with due deference to public feeling. He believed that a sound and judicious system of superannuation was of great advantage to the public service; and without some such system it would

be impossible to get rid of old servants, who had worked faithfully during their prime, but who might latterly become unfit for the proper discharge of their duties. No employer, even in private life, would discharge an old servant after many years' service, without making some provision for him in the shape of a superannuation allowance. He could not see why the Queen Anne's Bounty Office should be singled out and made an exception to the rule which prevailed in all other Departments of the kind, of granting superannuation pensions. He agreed with the Secretary to the Treasury that Mr. Hodgson's case should be placed upon the same footing as that of the other officers—and with that he believed Mr. Hodgson would be quite satisfied—but he objected to the abolition of the practice of superannuation. Suggestions had been thrown out to the effect that the Queen's Anne's Bounty Office should be amalgamated with the Office of the Ecclesiastical Commissioners. He quite approved of that proposal, and, in fact, advocated it before the Select Committee, but was overruled. He was decidedly of opinion, however, that things could not remain as they were, and that some change was absolutely necessary. The Bill did not go so far as he would have liked; but, as there was no chance of carrying a large measure at present, he hoped his hon. Friend (Mr. Rylands) would accept the Bill as an instalment of reform, and withdraw his Amendment. To any scheme for amalgamation this Bill would offer no impediment whatever; on the contrary, it would get rid of a preliminary difficulty. He hoped the House would read the Bill a second time.

MR. MONK said, he thought the Bill did not go far enough, and he hoped the Government would bring in a measure next year, and legislate more effectively on the matter. He also thought his right hon. Friend (Mr. Bouverie) was ill-advised in introducing an exceptional clause in favour of Mr. Hodgson; but, on the understanding that that clause would be struck out in Committee, he should vote for the second reading.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 100; Noes 43: Majority 57.

*Mr. Bouverie*

Main Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

#### BROKERS (CITY OF LONDON) BILL.

(*Mr. William Fowler, Mr. Morley, Mr. Eykyn, Mr. Bowring.*)

[BILL 71.] SECOND READING.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [22nd June], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. EYKYN said, that the result of discussions which had taken place outside the House was that the Corporation of London had withdrawn their opposition to the Bill, and, therefore, he apprehended that there would be no objection to the second reading. He congratulated the Corporation upon the public spirit they had exhibited in surrendering their jurisdiction over those who carried on the business of brokers in the City.

Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

#### BALLOT BILL.—[BILL 23.]

(*Mr. Leatham, Mr. Hardcastle, Mr. Hibbert, Sir Harcourt Johnstone.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [16th March], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. GLADSTONE: I propose, Sir, with the permission of the House, to explain very briefly the course I intend to take. No man has, perhaps, a fairer claim to explain his opinions than I have upon the second reading of this Bill, for I believe I have never opened my lips on this subject in the House of Commons, though I have frequently voted upon it, and have always voted against the Ballot. There are two points to be noticed—one is the ground on which I shall found my opinion of the merits of the Bill; and the other is the question as to the time and peculiar circumstances under which we are called upon to give a vote. Her Majesty's Government were



very anxious, if they could, to have brought to a definitive issue a measure of their own during the present Session for the establishment of secret voting. The House is perfectly aware of the cause—the pressure of Public Business—which has prevented the Government from giving effect to that intention. They considered whether it was fitting for them to ask the House to give a second reading to their Bill, avowing at the same time their inability to prosecute it to its ulterior stages; and they determined that this was not a course which it was desirable for them to pursue. And for a Government, indeed, I think both precedent and reason are against that method of proceeding. It is a matter of which the House ought to be very jealous—if, on the part of the Government, a disposition should be shown, especially upon a measure which is popular with a large portion of the community, to claim credit for the adoption of a principle, and, at the same time, to shrink from the adjustment of its details; and, therefore, we decided that we should best discharge our public duty by dropping a Bill which we had lost all hope of carrying to a satisfactory termination. The acts of an independent Member are, in some respects, a different matter. At any rate, we have no power to control the discretion of my hon. Friend (Mr. Leatham); he has exercised that discretion as he thinks best, and I am not here to find fault with him, but to answer the challenge, if I may use that expression, which he holds out to me in proposing that the House should give a vote on the second reading of the Bill. Under these circumstances, I think it my duty to vote for the second reading. I may say why I shall do so, although I shall not attempt to enter into any detailed arguments upon the question of the Ballot. At other times, whether rightly or wrongly, we were quite content to hear the question argued as it was argued by Lord Palmerston. Lord Palmerston had paid great attention to the question of the Ballot—at least, he felt a great interest in it. He always spoke upon it with much ability, and he usually founded himself on this view of the subject—that the franchise was to be viewed as a trust, to be exercised by a limited portion of the community for the benefit of the whole, and that the whole commu-

nity had just the same kind of right to know how that trust was exercised on their behalf by the limited portion of the community intrusted with the franchise, as the public out-of-doors have to know how the power entrusted to their representatives in Parliament is exercised by those representatives within these walls. I do not refer to that argument for the purpose of claiming any adhesion to it on the part of those who always supported secret voting, but merely to explain my own view of the question. In substance, the change which has been made in the constitution of our Parliamentary system within the last few years is the basis of the change which will be made in my conduct with regard to secret voting. Even those who do not concur with the argument as to a trust, applied in former times by Lord Palmerston and other opponents of the Ballot, must feel that the position of the question has been very largely altered by the extension of the constituency. Let us consider what that extension is; it is an extension nominally from a £10 suffrage to household suffrage, but really, virtually, and in principle an extension that is unlimited. When we have adopted household suffrage we have, I think, practically adopted the principle that every man who is not disabled in point of age, of crime, of poverty, or through some other positive disqualification, is politically competent to exercise the suffrage; and it is a simple question of time and convenience when this suffrage shall be placed in his hands. To draw a distinction between household suffrage and lodger suffrage, provided the lodger be a person who has a certain permanence in his residential tenure, would be, in my opinion, wholly impossible; to draw a distinction between boroughs and counties is, I think, equally impracticable. I do not enter into the question now, though it is a very important question, whether, over and above the personal franchise, property franchises should be retained. The course taken upon the Reform Bill by myself and others whom I had the honour to act with showed a disposition on our part not towards the restriction, but towards the multiplication of the franchises—at least towards their extension by lowering the leasehold qualification, and by a variety of other propositions that were discussed. But the

question is, not whether these particular franchises ought to be retained or rejected, but whether the principle upon which Parliament has placed the electoral system of the country is such that we may justly say the whole of the people of the country are presumably entitled to the exercise of the suffrage. I think that is the true view of the case, and that the extension of household suffrage to the counties is a question only of time and convenience. I am not at all sure—if this were the occasion to enter upon that subject as a question of party politics—whether the adoption of such a measure might not prove to be beneficial to the Gentlemen who sit opposite. With that I have nothing to do—it is not necessary to give an opinion upon it; but I think, in principle, we have bound ourselves to measures which must infallibly entail that consequence. That being so, I think the first view of the question as it stands is this—that there is no longer, properly so called, a limited constituency acting and exercising a trust on behalf of the whole people; but that the basis on which Parliament desires to found the representative system of the country is a basis not less wide than that of the entire nation, setting aside those who may be subject to positive disqualifications; and, consequently, that the trust which is exercised by the father of a family, or by an adult male, in giving a vote for a Member of Parliament is practically a trust which he holds mainly on behalf of his wife and children, all other persons being presumably entitled to act with him on a footing of equality in giving a vote. I own that, as far as I myself am concerned, under all circumstances—even when the argument has disappeared, as to a trust to be exercised on behalf of others who cannot exercise it for themselves—I should greatly prefer the public to the private discharge of every public function, and, therefore, I am not able to treat secret voting as an unmixed good. I look upon it as a choice of evils; and when we are to regard the Parliamentary franchise, disembarrassed of those peculiar considerations which attached to it as long as we had comparatively a very limited constituency, I ask myself—what is the first condition that it is the duty of Parliament to secure? I cannot doubt as to the answer which should be made to that question.

*Mr. Gladstone*

The proper answer is, that the first duty which Parliament has to perform, after having conferred the franchise under those circumstances, is to provide that it shall be exercised freely. That it shall be exercised purely is also of the utmost importance. But then arises a serious question with regard to the character of the Ballot to be established—shall the Ballot be one so devised as to admit of a subsequent verification of the votes, or shall it not? Into that question it is not now necessary to enter; but that the Ballot be exercised freely is a condition absolutely indispensable. This freedom is threatened from many quarters. It is threatened, I do not hesitate to admit, from the dictation and possible violence of mere numbers, as well as from the more subtle, more extensive, and more continuous action of those influences which are connected with property. To one case, though I have not the document actually at hand at this moment, I should wish to refer, because it was a case which produced a great action upon the public mind at the time; and it cannot, I think, have been wholly forgotten within the walls of this House—I mean the circular which was issued from the press in the town of Blackburn during the proceedings previous to the Election of 1868. That circular was an invitation issued by one of the political parties in the town—I need not say which, and it does not matter which—inviting all persons who possessed property, station, situations, or anything, in fact, by which they could acquire influence and bring this to bear upon the votes of their fellow-citizens, to meet together for the purpose of concerting measures to give effect to that influence. That was a hardy and daring attempt to put down freedom of election; but it was one that could not have been touched by law. If a law could have been framed which, without interfering with personal liberty, could prevent and nip in the bud attempts of such extraordinary audacity, I think Parliament would do well to consider such a law; but I believe it to be quite impossible. And if attempts of that kind can be made, if the influences of power, and property, and station can be organized in a large mass within the bosoms of great communities, and brought to bear individually upon all the votes to be given by poor and humble men, then I say the freedom of the franchise is in the



utmost danger, unless special measures be taken to secure it. And here the vast extension of the franchise which has taken place immensely strengthens the arguments in favour of secret voting, if secret voting be a protection to the voter. In former times the bulk of the constituency consisted of persons supposed more or less to have property, and hence presumed to be more or less capable of defending themselves; but we have now adopted a different principle, and have thought fit to admit to the franchise, in a mass, those who are dependent for their bread upon their daily labour. To expose such persons to the action of this powerful and overruling combination is, in my opinion, to stultify the whole of that great operation of Parliament by which the franchise has been so largely extended as, for the first time, to give it a national character. It is therefore in obedience to necessity, and to a duty, that I think the time has come when the House will best discharge its obligations to the country by giving effect to the principle of secret voting. I rest my opinion upon these grounds—in the first place, that whatever else it be, the franchise ought to be free, and free it cannot be if the infirmities of our nature are exposed to oppressive influences and intimidation, whether coming from above or below. On the contrary, these infirmities will be aggravated, the voter will become a hypocrite in the face of day, he will conceal his intentions, his acts will be falsified, and will belie the convictions of his heart. It is our duty, therefore, above all things, to secure that votes shall be given freely. Next to that, it would be the desire of the Government to consider all the means which would tend to secure votes being given purely. One advantage that helps to mitigate the disappointment of postponing the measure which we intended to introduce, is that we shall have the opportunity of examining more carefully during the Recess than would have been possible during the pressure of this crowded Session the means proposed for this very purpose by my hon. Friend, and the other means which are proposed in competition with them, and of choosing among them what may be the best method of delivering a secret vote. But the secret vote, in some shape or other, does appear to be required by the social circumstances under which we live. I

cannot place wholly out of view the fact of the extensive acceptance which the Ballot has received in other countries of the world. I can hardly suppose it possible that any, except those who have become enamoured of the question by studying it from a particular point of view, can feel a warm abstract preference for secret voting; but a practical preference for secret voting has been given, in one shape or other, almost everywhere where the English race has spread itself over the face of the earth. And other nations, our own rivals and companions in civilization, to say the least, have generally resorted to this method of procedure. Our judgment must be governed mainly by the conditions of the society in which we live, and also, in some degree, by the progress of opinion. And it is impossible not to see that opinion has very perceptibly moved in the direction of secret voting since the passing of the last Reform Act. Even the proceedings in the Committee which sat last year, in some cases emanating from members of the party opposite, tend to support that view of the case. But the conclusive consideration which weighs upon my mind is, that while the greatest and weightiest of the arguments against secret voting have either wholly disappeared or have been greatly reduced in scope and weight, in consequence of the change which we have adopted as to the actual constituencies, and still more as to the principle upon which our Parliamentary representation may now be said to be founded—while the arguments upon one side have thus lost much of their force, the arguments on the other side have not lost any of their weight, but, on the contrary, have gained strength. The greater dependence of the mass of the constituency renders them more open than heretofore to the illegitimate influences, if not of bribery, yet of intimidation, and we cannot, therefore, without a measure of this kind, secure the exercise of the franchise in that freedom which is its first, most vital, and most essential attribute. These are the reasons, briefly stated, which determine me to support the second reading of this Bill, for which my vote, if we go to a Division, shall be given unhesitatingly.

MR. DISRAELI: Sir, I must express my regret that a most important question of constitutional polity should have

been brought forward for our consideration at the fag-end of the Session and in a scanty House of Commons. I regret it the more, because we have had a Bill upon the matter introduced by the Government, and withdrawn for special and sufficient reasons by them, without attempting to obtain any decision upon the principle of their measure. I likewise regret it because time, of course, is valuable at the end of the Session; and I cannot see what the hon. Gentleman, who to-day moves the second reading of this Bill, is to attain practically by any decision of the House, for he cannot for a moment suppose that beyond the second reading the measure is likely to make any progress this Session. I was quite prepared, if the question had been brought forward, according to the original intimation of the Government, to have entered upon the consideration of the matter, at least to have contributed my share towards a discussion of this great question, which upon the part of the House I hoped would not have been inadequate. Anything like a hurried or scrambling debate upon the Ballot appears to me to be a proceeding not worthy the dignity of this House; and such a course has tended, I think, of late years, very much to diminish the hold which the opinion of this House would have upon the country as deciding questions which closely concern the political future of England—though the consequences of the Ballot may be very different from those which are anticipated by Gentlemen upon both sides of the House. But I must protest against being called upon to enter into a discussion under the circumstances and in the manner in which we are met to-day. I cannot say that I thought the reasons of the right hon. Gentleman (Mr. Gladstone) were, on the whole, satisfactory or consistent. The right hon. Gentleman is the head of a Government that has introduced a measure upon this question. I am not here to doubt the sincerity of the right hon. Gentleman and his Colleagues in bringing forward that measure, or for a moment to insinuate that the reasons why they did not press that measure were not such as, if stated, would be otherwise than satisfactory to Gentlemen on both sides of the House. But the right hon. Gentleman has told us fairly that a Minister is not justified in

bringing forward a measure such as the Ballot, when he feels that there is no chance of carrying it; and that to ask for the second reading of a Bill on the part of the Government, when they have no prospect of entering into the practical details by which the plan thus sanctioned by the House is to be carried into effect, would be, on the part of the Government, a proceeding that could not be justified. I quite agree with the right hon. Gentleman. But what has he done to-day? He has given his sanction to a measure embodying the principle of the Ballot, just as much as he would have done if he had asked for an expression of opinion by the House of Commons upon the second reading of his own Bill. I cannot understand how the right hon. Gentleman is justified, according to his own declarations, in taking the course which he proposes to adopt with regard to the measure of the hon. Member for Huddersfield. I cannot understand how the right hon. Gentleman can reconcile the course which he is about to take this evening with the policy which, only a few moments ago, he congratulated himself on having adopted—that of having declined to ask the opinion of the House upon his own measure, which there was no chance whatever of carrying. Nor am I inclined on the present occasion to offer any remarks upon the general observations of the right hon. Gentleman. The right hon. Gentleman never addresses us without commanding our attention and engaging our interest; but I have heard nothing from him on the subject of the Ballot which, at any rate, has the charm of novelty. The observations which he has made, and some of which he has introduced to the House, as if he heard of them for the first time, are very familiar to those who have paid any attention to this subject. The right hon. Gentleman has occupied a great part of his address in answering Lord Palmerston. Well, I do not know whether the right hon. Gentleman, when he was sitting on the same Bench as Lord Palmerston, and when Lord Palmerston was making those speeches upon the Ballot, felt at the time an impatience—which to-day he has seized the opportunity of satisfying—to respond in this manner to his former Colleague and chief. But I must say upon this head



that an answer to Lord Palmerston, however satisfactory, is no answer to the opponents of the policy of the Ballot, who probably have given to the question as much consideration as the right hon. Gentleman himself. The great principle on which Lord Palmerston laid stress was that the franchise was to be looked upon as a trust; and, though that opinion appears to have been accepted by the right hon. Gentleman during the life-time of Lord Palmerston, the right hon. Gentleman to-day has directed his efforts and energy to demolish the justice of that position. I cannot say, speaking for myself, that I have ever looked upon the franchise as a trust, though I know it was a very convenient view for those who shared the limited opinions of Lord Palmerston upon this subject. I have always looked upon the franchise as a privilege, and it was a privilege that I for one was very glad to see greatly extended. But, holding as I do that the franchise is a privilege, and, as a privilege, ought to be freely exercised, is a matter entirely apart from the merits or demerits of secret voting. Into a general discussion upon that I certainly shall not enter. If we are to discuss the question of the Ballot in a manner worthy of its magnitude, I think it can be shown that objections will arise to it, which at least well deserve the deepest consideration of the House. Nor I cannot agree with the right hon. Gentleman that his conversion to the Ballot is to be justified by the recent extension of the suffrage. On the contrary, I have always thought that the wider the suffrage the less claim there will be for the adoption of the Ballot—that the strength and security of the voters will be proportionately increased. I have no doubt myself that the larger the constituency the greater will be its moral power, and the less would be the inclination, or the opportunity, to bring improper influence upon the exercise of the franchise by that constituency. I do not mean, however, by the phrase improper influence, to refer to that legitimate influence which character, property, and the due performance of the duties of life will happily give in this country to individuals who are thus distinguished. And, therefore, I entirely differ from the right hon. Gentleman in the conclusion which he has

drawn that, because the suffrage has been extended to large classes in this country who did not enjoy it before, this circumstance furnishes novel and unanswerable reasons for giving them this protection of secret voting. In my mind, it is more likely that the constituent body of the United Kingdom, as at present composed, possesses in itself elements of independence which would command public respect, and which it would not be in the power of any class of individuals, as a general rule, improperly to influence. I could not help making these remarks after the somewhat unexpected and rather startling observations of the right hon. Gentleman. I am not myself on this occasion going to enter into any discussion of the Ballot. I think it is of great importance—especially when the subject is brought forward for the first time with the sanction of a Minister—that the question should not be dealt with in this by manner. We ought to give to this subject a discussion worthy of its importance; and then, whatever may be the decision of the House of Commons, and, ultimately probably, of Parliament upon the question, it will be felt by the country that the subject has been discussed thoroughly and completely, and that the opinion of either House of Parliament has not been caught by any accident, or by some clever contrivance at the end of a jaded Session on some Wednesday morning—and Wednesday mornings are proverbial for many accidental expressions which are not afterwards carried into effect. Let it not be said that we treated the Ballot as some mere crotchety question, or one to be incidentally disposed of. Let us await the matured measure which the Government has promised us next year; and I am bound to say, from listening impartially to the right hon. Gentleman, that I think he does require time and opportunity to consider the question. Let us treat this question in a becoming manner; and, therefore, I cannot at all counsel a discussion on the present occasion, which it appears to me would be of a most unsatisfactory kind, and would give to the country a totally inadequate impression of the importance which the House of Commons attaches to this question, and of the spirit which upon the right occasion it will exhibit in dealing with it.

MR. ASSHETON said, the right hon. Gentleman at the head of the Government had referred to what was known in Blackburn as "the screw circular." But it was fair to remember that political partizans on the other side had killed a man in the same town merely because he called out "Hornby for ever!" The circular had never actually been disavowed, but over very many of the signatures to that document there hung doubts as to their authenticity of precisely the same kind as existed with regard to that much larger document which fell like a thunderbolt upon London the other day when published in the columns of *The Times*. The right hon. Gentleman seemed to imagine that if there had been secret voting in Blackburn the political results might have been different. But after the two Members returned at the General Election had been unseated, at the next Election, held almost under the shadow of the Election Judge's presence, the sons of those very gentlemen were returned by still larger majorities.

Question put, and agreed to.

Bill read a second time, and committed for this day month.

#### IRELAND—SHANNON NAVIGATION.— [GRANT.]—COMMITTEE.

Order for Committee read.

MR. SCLATER-BOOTH said, that the Bill, with which the proposed Vote was connected, authorized the advance from the Consolidated Fund of two sums of £100,000 each. The first was to be applied for the improvement of the navigation of the Shannon, and was proposed to be a free grant. The remaining £100,000 was to be advanced on loan, to be applied to the improvement of the lands bounding the Shannon. Now, he thought that the first sum ought to have been placed upon the Estimates, and the second advanced by the Public Loans Commissioners. Further, he objected in point of form to the proceedings by which the Bill had been urged forward. After the Bill had reached a certain stage, it was discovered to be properly a hybrid Bill, as touching private interests, and required therefore to be dealt with accordingly. It was very doubtful whether the Bill ought not to have been dropped at once, as the usual notices

had not been given; but the House thought it right to exercise the power which it possessed of ordering it to be referred to a Committee of which certain Members should be appointed by the Committee of Selection. The Order was to have been made on Monday. It was, in fact, made at 2 o'clock on Tuesday morning; but, greatly to his surprise, he found that the Committee of Selection had met on Monday, in anticipation of the Vote of the House, had appointed the Committee, had placed him upon it without his knowledge, and that the Committee met on Tuesday at 12 o'clock, and actually reported to the House at 2 o'clock that afternoon. That was a flagrant instance of hurried legislation, and he thought the House ought not to sanction it. The subject was one on which the public at large had been left almost without information. The whole affair he regarded as a farce, and he would suggest that the Bill should be allowed to stand over until next Session, when the Government might state their reasons for coming before the House. The Consolidated Fund ought certainly not to be charged with the free grant of £100,000. He wished to ask his right hon. Friend the Secretary to the Treasury why, if the money was to be granted, it should not be by Vote of the House on the Estimates. With respect to the drainage of the lands, the Public Works Commissioners already advanced loans for the improvement of estates, and there was no reason why this matter should be dealt with differently.

MR. STANSFELD said, there had been no desire to prevent fair discussion. He admitted that certain stages had been passed through with great rapidity, as was indispensable if the Bill was to pass this Session. He was not responsible for the steps taken by the Committee of Selection; and it must also be remembered that the Bill, being a hybrid Bill, was in charge of a Parliamentary agent, whose advice in the matter was followed. The usual notices, no doubt, had been dispensed with in this case, but that was because the Bill was practically unopposed. The Committee, to whom the Bill had been referred, dealt with it in the way hybrid Bills were usually dealt with. If the Government were to put a Vote on the Estimates for the object in view, that would not give the House any greater power over the matter than it

*Mr. Disraeli*



had by the mode of proceeding by a Bill, every clause of which might be opposed, in Committee. The method which had been chosen was in accordance with the usual practice, and was most respectful to the House.

MR. BOUVERIE said, there had been an irregularity in the matter, of which his hon. Friend (Mr. Selater-Booth) had a right to complain. The Motion for the appointment of the Committee was made on Tuesday morning at a quarter past 2, but the Committee of Selection had named the three Members, by way of anticipation, on Monday. That was very much like stealing a march on the House. It was not the Committee of Selection, but the agent who was really to blame. The hon. Member for North Hampshire (Mr. Selater-Booth) had not been properly treated; he could insist that the proceeding was bad *ab initio*, and it was for him to say whether he would waive his right to demand that it should be done in a formal and proper manner.

SIR MICHAEL HICKS-BEACH said, this sum of £100,000 would not be granted for the improvement of any river in Great Britain. The Report in which the grant was recommended was carried by a majority consisting entirely of Irish Members, and by the casting vote of the chairman, all the English and Scotch members of the Committee having voted against it. He hoped the Bill would be again referred to a Select Committee in the regular way, who should consider whether £100,000 should be granted in the manner suggested for the improvement of the navigation. He believed it was not the Shannon that required to be improved, but the drainage, for the benefit of the riparian proprietors.

THE O'CONOR DON said, he held that the public had not any right to complain, because the Committee was appointed to consider not the public interests, but the interests of the riparian proprietors.

MR. STANSFELD said, he wished to explain to his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), who was so great an authority upon such subjects, that it was on Friday that the House resolved that the Shannon Navigation Bill should be referred to a Select Committee; two to be named by the House and three by the Committee of Selection.

MR. SYNAN said, that the sum of

£100,000 was to be granted to compensate the proprietors for damage done to the banks of the river. It would be seen, from what had been said by the Secretary to the Treasury that the Committee of Selection, instead of anticipating, had acted in obedience to an Order passed by the House on Friday.

MR. ALDERMAN LUSK said, he recommended the Government to withdraw the Bill. He would like to hear something more about this free gift of £100,000 to the people on the banks of the Shannon, before he would consent to such a grant. The Shannon had run on very well for another six months without the proposed grant. It was said this was no public matter, but this £100,000 was public money. It was a question if the other £100,000 that was proposed as a loan would ever be repaid.

SIR PATRICK O'BRIEN said, this was not a gift to the riparian proprietors. The fact was, several years ago it was thought right for Imperial purposes that the navigation of the Shannon should be improved. The works undertaken by the Board of Works with that object had resulted in damage to the riparian proprietors; and, after full inquiry, it had been decided that the sum of £100,000 should be given by the Treasury by way of contribution to the cost of the new works which would be required. After a 10 years' delay, a Committee recommended the lending of £100,000; and now the hon. Member for Finsbury opposed the Bill, of which, by his own admission, he knew nothing.

MR. ACLAND said, he had sat on a Committee on the Shannon navigation, and also on a Committee that inquired into the navigation of the Thames, and he must say that there was this difference between the two cases, that it never occurred to the people on the banks of the Thames to ask the House of Commons for a grant of £100,000 for the improvement of the river.

MR. M'LAREN said, there was another river which he could mention, which had been improved without any grant of public money—he meant the Clyde. At the beginning of the present century a lad might wade across where now ships of the largest burden in the mercantile marine of this country could sail up. But the people of Glasgow never came to Parliament for a grant, and now the

Customs' revenue levied in that magnificent river alone was far more than was collected from the whole of Ireland.

MR. SINCLAIR AYTOUN said, he hoped the Government would take the advice given by the hon. Member for Finsbury (Mr. Alderman Lusk), and withdraw the Bill. The object of the Bill was simply to bestow £100,000 on the proprietors on the banks of the Shannon; and they had heard no adequate reason why it should be proceeded with at this period of the Session.

MR. BOUVERIE said, that the explanation of the Secretary to the Treasury was satisfactory, and showed that there had been a previous Order for the appointment of the Committee of which he was not aware.

*Considered in Committee.*

*(In the Committee.)*

Motion made, and Question proposed,

"That it is expedient to authorize an Advance of any sum or sums of money, not exceeding £200,000, in part as a free Grant and in part as a Loan, out of the Consolidated Fund of the United Kingdom, to enable the Commissioners of Public Works in Ireland to carry out the provisions of any Act of the present Session for amending and enlarging the powers of the Acts relating to the Navigation of the River Shannon, and for other purposes relating thereto."

SIR MICHAEL HICKS-BEACH said, he would divide the Committee against the Resolution, of which he hoped some explanation would be given by the Government.

MR. ALDERMAN LUSK said, he must insist on some further explanation of the circumstances under which the proposition was brought forward, and trusted the Government would consent, at all events, to report Progress.

MR. STANSFELD said, that an explanation had already been given, although, perhaps, many hon. Members now present had not heard it. The proposal of the Government was based on the Report of the Committee which sat two years ago, and which had gone fully and at great length into the question, and had taken much evidence with respect to it. The Government had not adopted that Report altogether; but in the opinion of the Treasury a sufficient case had been made out for some contribution towards meeting the loss of which the riparian proprietors complained. It appeared that several years

ago works had been undertaken for the improvement of the navigation of the Shannon, the cost of which was to be defrayed partly out of the Consolidated Fund and partly by the counties through which the river flowed. Those works were executed in such a way as at particular seasons to cause considerable damage by flooding the adjacent lands, and that had been a cause of repeated complaints. The matter was referred to a Committee, which reported that £200,000 should be advanced by the Treasury to improve the works and prevent injury to the adjacent lands in future. Mr. Bateman, the engineer, had given his opinion in favour of the proposed works upon the Upper and Lower Shannon. The matter had been attentively considered by the Chancellor of the Exchequer, who adopted a more moderate scheme, and who had come to the conclusion that it was just that £100,000 should be given out of the Consolidated Fund, and the remainder of the money advanced by way of loan, upon full security, thus meeting the riparian proprietors half-way. He (Mr. Stansfeld) did not look with favour upon grants of public money for objects which were partly local in their character, but the circumstances of this case were exceptional.

MR. SCLATER-BOOTH said, he had not intended to reflect in any degree upon the action of the Committee of Selection. The Secretary to the Treasury seemed to quote the Report of the Committee of 1868 in support of this grant; but he had evidently forgotten that the Committee distinctly stated that the navigation of the Shannon was almost useless. In reference to the present proposal, he (Mr. Sclater-Booth) had to state that Mr. Bateman had testified over and over again that the navigation works already effected were for their purpose excellent. The riparian proprietors, however, said that their lands would be improved by lowering the level of the river; but there was ample room for disputing that point. If a Division was taken he would certainly vote against the grant. It would be a great advantage, both to the public and the riparian proprietors, if the proposed Bill were given up for the present, and brought in early next Session, when it could receive due attention.

*Mr. M'Laren*



THE O'CONOR DON said, he thought Scotch Members were not entitled to taunt Irishmen with coming to that House with applications for public money, especially remembering that the Caledonian Canal was executed at the cost of the Imperial Exchequer. He also maintained that in this matter of the Shannon navigation the proprietors of the land bordering on that river, who had sustained great injury from the manner in which the works there had been carried out for the purposes of the navigation, had now a fair claim to have that injury remedied in the way now proposed. That was no grant to the Shannon proprietors. The grant now proposed was for a purely public purpose, and as a compensation in favour of which a Select Committee had, after full inquiry, reported.

MR. ACLAND said, he was under the impression that the navigation of the Shannon had been made the stalking-horse to carry the outlay upon the drainage works behind it. The question required a great deal of looking into by competent and responsible persons, before the House was committed to a large expenditure, and the Government ought to take full time to satisfy itself that the project would be useful to the whole nation, as well as to particular localities, before embarking in it. Remembering who sat opposite to them, and recollecting also the questions of local taxation that were "looming in the distance," the Government should be very careful how they set a precedent by sanctioning this expenditure.

MR. M'LAREN said, he held that the case of the Caledonian Canal, instead of being an example to follow, was a beacon to warn them against incurring this expenditure upon the Shannon. The Caledonian Canal was a mistake and a failure from beginning to end; and it having been executed more than 60 years ago, they ought to have grown wiser now.

MR. STANSFELD said, he had never denied that this was a subject requiring considerable examination and discussion, and it would be extremely unwise, in the interests of those who were concerned in the River Shannon, now to press a measure that would be unacceptable to the House, or even to any considerable section of it. There was, he admitted, nothing vital in forcing the

measure through at the fag-end of the Session; but he hoped it would be allowed to pass the present stage, and then the policy of the proposal might be discussed on going into Committee on the Bill. If his hon. Friend (Sir Michael Hicks-Beach) persevered with his Motion, he should be driven to the alternative of moving that the Chairman do report Progress, in order that they might have a further opportunity of considering the matter.

MR. MUNTZ said, he was rather amused at the suggestion of the Secretary to the Treasury, but he was too old a bird to be caught with chaff. If they allowed the proposal to pass its present stage they would virtually vote away in a hurried manner £200,000 of the public money, without any investigation, without plans, and without knowing what they were doing. Large sums had been spent on the River Shannon, and they might spend millions without ever making anything of it, for it was a mass of sandbanks and swamps. They had better wait till next Session, when the matter could be fairly and properly considered.

MR. W. H. GREGORY said, from personal knowledge, as well as upon eminent engineering authority, he must deny that the River Shannon had been correctly described by the hon. Gentleman who had last spoken. All the evidence taken upon the subject proved that great good could be effected by an expenditure of £200,000 upon it.

SIR MICHAEL HICKS-BEACH said, the total expenditure already incurred was some £600,000. True about one-half of that sum was paid by the counties affected; but the remainder came out of the Imperial Treasury, and it was high time to put a stop to such proceedings.

SIR PATRICK O'BRIEN said, he would remind the hon. Gentleman opposite, who now so strongly objected to that proposal, that the late Conservative Government of Ireland had favoured measures like the present, and advocated a policy of promoting the material improvement of that country.

MR. SCLATER - BOOTH said, he thought it would be more convenient to take a Division on the question now than to report Progress.

Committee report Progress; to sit again upon *Monday* next.

## PUBLIC SCHOOLS ACT (1868) AMENDMENT BILL.—[BILL 200.]

(Mr. Secretary Bruce, Mr. Knatchbull-Hugessen.)

## COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. WINTERBOTHAM said, he had given Notice to move that this House will, upon that day three months, resolve itself into the said Committee. The object of the Bill was to continue the Public Schools Commission, which, under the former Act, would expire on the 1st of January next. He thought it would be much better to allow the Commission to expire, and that the further proceedings in respect to the seven public schools should be entrusted to the Endowed Schools Commission. He would not, however, press his Motion if the Government would accede to an Amendment which stood on the Paper in his name—namely, in Clause 3, at the end, to add—

"Provided, That the approval or disapproval of Her Majesty to any statute made by any such Governing Body, in pursuance of the powers so vested in it, shall not be signified until such statute has been laid before both Houses of Parliament, for a period of not less than forty days."

MR. PARKER said, the additional time was asked for not in the interest of the Commissioners, but in that of the schools. The object of the hon. and learned Gentleman (Mr. Winterbotham) was to get rid of the Commission altogether. He thought at that stage of the Session the proposal was a most unreasonable one. There was an important distinction between the powers of the Public Schools Commissioners, who were an unpaid body, and the Endowed Schools Commissioners, who received payment for their services. He believed the former were by no means anxious to continue their labours if they did not continue to enjoy the confidence which had hitherto been placed in them.

MR. BRUCE said, he had Amendments to propose in Committee providing that the bodies to be dealt with should be the new Governing Bodies. The question, therefore, would not be the constitution of those bodies, but the schemes they prepared. The Public Schools Act of 1868 enacted that if the Commissioners and the Governing Body

agreed as to the scheme it would not be necessary to lay it on the Table; but if the Commissioners and the Governing Body did not agree, then it would be necessary to lay the scheme on the Table, in order that Parliament might decide between the Commissioners and the Governing Body. That being so, his hon. and learned Friend (Mr. Winterbotham) now came forward with a proposition which would alter the whole plan upon which the proceedings in reference to the public schools had been hitherto conducted. Having regard to the period of the Session, the proposition was one which his hon. and learned Friend could hardly expect the Government to accede to.

MR. WINTERBOTHAM said, he feared he had no alternative. He must press his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(Mr. Winterbotham.)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and agreed to.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

Bill considered in Committee.

(In the Committee.)

Clauses 1 to 3, inclusive, ordered to stand part of the Bill.

MR. WINTERBOTHAM, in moving after Clause 3, to insert—

"Provided, That the approval or disapproval of Her Majesty to any statute made by any such Governing Body, in pursuance of the powers so vested in it, shall not be signified until such statute has been laid before both Houses of Parliament, for a period of not less than forty days."

—said he would merely observe that if the Government refused to accept the clause their refusal would give rise to suspicions of a sinister motive.

Clause (Statutes by new Governing Body to be laid before Parliament,)—brought up, and read the first time.

THE SOLICITOR GENERAL said, he thought that in his calmer moments his hon. and learned Friend would regret having said that a clause in the Act



of 1868, which Act had been carefully considered, and was the result of a compromise, would give rise to suspicions of a sinister motive.

MR. WINTERBOTHAM begged his hon. and learned Friend's pardon. What he had said was that the refusal of the Government to accept this clause would give rise to suspicions of a sinister motive.

THE SOLICITOR GENERAL said, the distinction drawn by his hon. and learned Friend was a distinction without a difference. As a Commissioner and as a Member of the Government, he repudiated in the strongest manner consistent with personal courtesy the statement of his hon. and learned Friend. His hon. and learned Friend had no business to make it.

MR. WINTERBOTHAM said, he had not imputed a sinister motive to the Commissioners. What he had said was that if the Government refused to accept a clause which provided that the statutes of the Governing Bodies should be submitted to Parliament there would be suspicions of a sinister motive. It would be thought that the Government refused to accept the clause from an apprehension that the opinion of Parliament might be adverse to that of the Governing Bodies.

THE SOLICITOR GENERAL said, he was glad he had given his hon. and learned Friend an opportunity of withdrawing his remark under pressure.

MR. WINTERBOTHAM said, he had not withdrawn anything.

THE SOLICITOR GENERAL said, he was glad then to have given his hon. and learned Friend an opportunity of explaining. The Government could not consent to the clause. It would give rise to debates. No good would result from it, while it would cause a delay in getting the schools into working order under new statutes.

MR. T. HUGHES said, he hoped the Government would accept the clause. He did not think there could be any objection to it now that the Commissioners and the Governing Bodies were getting more time.

Motion made, and Question put, "That the Clause be read a second time."

The Committee divided:—Ayes 36; Noes 70; Majority 34.

House resumed.

Committee report Progress; to sit again To-morrow.

#### DIVINE WORSHIP IN LICENSED BUILDINGS BILL.

On Motion of Sir PERCY BURRELL, Bill to give greater facilities for the performance of Divine Worship in parishes in buildings licensed by the Bishop of the diocese in which they are situated, ordered to be brought in by Sir PERCY BURRELL and Mr. GOLDNEY.

Bill presented, and read the first time. [Bill 245.]

#### PENSIONS COMMUTATION AMENDMENT BILL.

On Motion of Mr. STANSFELD, Bill for amending the sixth section of Pensions Commutation Act, 1869, ordered to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 244.]

#### COMMON LAW PROCEDURE (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to abolish certain real actions in the Superior Courts of Common Law in Ireland, and further to amend the procedure in the said Courts; and for other purposes relating thereto, ordered to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. CHICHESTER FORTESCUE.

Bill presented, and read the first time. [Bill 242.]

#### CONSTABULARY (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to make better provision for the Police Force in the city of Londonderry, and to amend in certain respects the Acts relating to the Royal Irish Constabulary Force, ordered to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. CHICHESTER FORTESCUE.

Bill presented, and read the first time. [Bill 241.]

#### BEERHOUSES BILL.

On Motion of Mr. Secretary BRUCE, Bill to make provision in relation to certain Beerhouses not duly qualified according to Law, ordered to be brought in by Mr. Secretary BRUCE and Mr. KNATCHBULL-HUGHESSEN.

House adjourned at two minutes before Six o'clock.

#### HOUSE OF LORDS,

Thursday, 28th July, 1870.

MINUTES.]—PUBLIC BILLS—*First Reading*—Factories and Workshops\* (247); Forgery\* (248); National Debt\* (249); Statute Law Revision\* (250); Pedlars' Certificates\* (251); Turnpike Acts Continuance\* (252); Sanitary Act (1866) Amendment\* (253).  
*Select Committee—Report*—Telegraph Acts Extension\* (206).

*Committee*—Clerical Disabilities (210-254); Absconding Debtors\* (214-256); Sheriffs (Scotland) Act (1853) Amendment, &c. (243-257). *Report*—Settled Estates\* (245-255); Wages Arrestment Limitation (Scotland)\* (192). *Third Reading*—Life Assurance Companies\* (239), and *passed*.

## FRANCE AND PRUSSIA.

### MINISTERIAL STATEMENT.

EARL GRANVILLE: My Lords, I rise for the purpose of fulfilling the promise which I made to your Lordships at the suggestion of my noble Friend Lord Russell. I have been so accustomed for so many years to yield a willing obedience to my noble Friend's wishes that his request simply would have been sufficient for me, even if I had not thought that he had a perfect right to make it. I shall not in the statement I propose to make detain your Lordships long: I shall tell your Lordships nothing new; and although at other times I may have regretted, I am rather glad than otherwise, on this occasion, that I am incapable of any oratorical display. My noble Friend (Earl Russell) referred the other day to two precedents of statements having been made with regard to negotiations in reference to pending war. The first, I think, was in 1823, when Mr. Canning, in a magnificent speech, explained and vindicated the course taken by the Government, after the negotiations for preventing an invasion of Spain by France had come to an untimely end. The other statement to which my hon. Friend alluded was, I believe, in 1854.

EARL RUSSELL, interposing, explained that he had referred to the statement made in 1864 with reference to the war between Germany and Denmark.

EARL GRANVILLE: I was under the impression that my noble Friend referred to the failure of the negotiations with Russia in 1854; I was about, therefore, to point out that on that occasion my noble Friend took the course of putting aside, as of less importance, the conduct of the Government, and his speech turned chiefly on the conduct of the enemy which had obliged England to take a particular course. Any statement made by me to-night will be made under very different circumstances. It is not for me to trace before your Lordships the direct or the indirect causes of the war which has now unfortunately broken out,

nor is it for me to attempt to apportion praise or blame to either belligerent; but simply to comply with the request which my noble Friend had a right to make—namely, that the country should know what course Her Majesty's Government have taken during the few days which preceded the commencement of that war. In doing this I shall assume, in order to avoid being tedious, that your Lordships have read the Papers which were presented the day before yesterday, and I shall, therefore, merely refer to some of the principal points in the course of the negotiations. I have already stated to your Lordships the substance of a conversation which I had with the French Ambassador on the day I had the honour of receiving the Seals of the Office I now hold—the regret I expressed, the reservations which I made, and also the promise that I should endeavour, without any dictation, to induce Prussia and Spain to consider the question in all its most serious lights. From that moment dates the policy of Her Majesty's Government—which I believe was summed up very shortly by myself to the Ambassador of a neutral Power, when I said that our course was to urge the French Government to avoid precipitation, and, without dictation, to impress on Prussia and Spain the gravity of the situation. I felt that our position was very much that of trying to prevent a fire with inflammable materials all around, and with matches all ready to ignite—that it was not the moment to go into any elaborate inquiries as to who had brought the materials, or the rights and wrongs of the case, but that we should endeavour as soon as possible to remove those materials, and to prevent one of the greatest calamities which could happen to the world. With regard to the promise which I made as to Spain and Prussia, your Lordships must perceive that the task was not a very easy one. Strong words had been used; both those countries are proud military nations, and it required some care and caution lest in any interference on the part of Her Majesty's Government harm instead of good should not be done. Your Lordships must judge, after reading the Papers which have been placed in your hands, whether we were right in the course which we took in omitting altogether any reference to some of the most obvious reasons for peace, and in



very lightly touching upon some other arguments, basing our representations on motives honourable to both countries, and of a patriotic character which might be adduced without in any degree hurting the pride or the national self-love of either of them. We had success, at all events, up to a certain point—though it is really sad to have to speak of anything like success when the failure has been so complete as it has eventually turned out to be. With respect to Spain, those of your Lordships who have read the correspondence will see that Mr. Layard, with great energy and great judgment has faithfully executed the instructions of Her Majesty's Government. He found considerable irritation existing at the time; but he put himself on the most friendly footing with the Spanish Government, and it is impossible not to believe that his exertions had considerable effect in inducing it to acquiesce in an arrangement which, at least, preserved that country from being involved in the present war. As regards Prussia, there are accidental circumstances which increased the difficulty. While our Ambassador was at Berlin, the King of Prussia was at Ems, and the Foreign Minister at his own country house; but the result of the negotiations—of course I cannot say how far we contributed to their success or not—was that which we thought the principal object—namely, the withdrawal of the candidature of the Prince of Hohenzollern—was attained. As to our endeavours to represent to France that she should not act with precipitation, I think your Lordships will see from the despatches of Lord Lyons that, bit by bit and day by day, he, by his representations, obtained on the whole something like a delay of five days before the declaration was made in the Chambers of immediate preparations for hostilities—a declaration which took away all hope of peace. I do not know whether your Lordships were struck as I have been with his despatches, so full of matter, and where so very much hangs upon a word; but I cannot help thinking that there is one passage in them which has almost the interest of a work of fiction, were it not connected with too serious a subject. I refer to his despatch of July 14, where he says—

“My despatch (of the previous day) was sent off at the usual hour, 7 o'clock in the evening.

During the early part of the night which followed, the hope that it might yet be possible to preserve peace gained some strength. It was understood that the renunciation of his pretensions by Prince Leopold himself had come to confirm that made on his behalf by his father, and that the Spanish Government had formerly declared to the Government of France that the candidature of the Prince was at an end. The language of influential members of the Cabinet was more pacific, and it was thought possible that some conciliatory intelligence might arrive from Prussia and enable the Government to pronounce the whole question to be at an end. But in the morning all was changed. A telegram was received from the French *Chargé d'Affaires* at Berlin, stating that an article had appeared in the Prussian Ministerial organ, *The North German Gazette*, to the effect that the French Ambassador had requested the King to promise never to allow a Hohenzollern to be a candidate for the throne of Spain, and that His Majesty had thereupon refused to receive the Ambassador, and sent him word by an aide-de-camp that he had nothing more to say to him.”

Now, it is quite impossible to say whether, but for this incident, war might have been prevented or not; but it is really sad to think that possibly much turned on an incident in this watering-place which, I believe, was misunderstood by both parties, and was by neither intended to be an insult, and that the news arriving simultaneously in Germany and in France should have acted on the strong national feelings of each; the one imagining that it was a deliberate insult to their Sovereign, and the other that it was an affront put on the personal representative of the Emperor. It is on these small causes that great events very often to a certain degree turn—although, as I said before, it is not clear whether without this incident the war could have been permanently averted. As soon as we found—to go back a little—on the candidature of the Prince of Hohenzollern being withdrawn, that it was not withdrawn in a mode which appeared to the French Government consistent with their interests and their honour, we immediately, and I believe without the loss of any time whatever, began to try what other modes we could adopt to preserve peace. We first of all considered whether we should merely make an application for delay to both parties; but it appeared to us that, with the strong and increasing feeling of both nations, any vague proposition of that sort would have very little chance of success. We then—though I cannot say we were very sanguine—determined to make this proposition to both parties—that while we did not think France

was justified in insisting on a guarantee for the future from the King of Prussia, yet if France would withdraw that demand the King might, very consistently with his own honour, in the same sense as he had given his consent to the Prince's candidature, communicate to the French Government his consent to its withdrawal. That attempt was unavailing. It was refused by M. Bismarck, though afterwards I was informed that the King himself had consented to take such a step as we proposed; and the French Government absolutely refused it. As soon as we were aware that there was no chance of both parties accepting it, we sent within an hour another proposal to both countries, making an appeal to them, under the Protocol of Paris, that they should have recourse to the good offices of some friendly Power or Powers—not offering ourselves as mediators above other Powers, but simply stating that we were ready to take any mediatory part which might be requested of us. This proposal was also unsuccessful. It was rejected by France; and it was not accepted by Prussia. Events rapidly succeeded—and, indeed, I believe the declaration had actually been made before our proposal arrived—which took away almost all hope of peace being preserved. As soon as war was declared we thought we had but one course. As soon as we possibly could we fulfilled all the formalities necessary to proclaim our complete neutrality. I stated the other day what I thought that neutrality imposed on us. I stated that friendly relations had existed up to that moment between ourselves and the two belligerents. Since that time those friendly relations have continued. It is quite true that I have not been entirely exempt from complaints by both parties. M. de Lavalette—and here I wish to say that I never knew a person more straightforward or agreeable in his business relations than he—has complained to the Prime Minister that I was cold, very cold. M. de Gramont told Lord Lyons that he regretted the want of more goodwill on the part of the English Government. M. Bismarck, on the other hand, has expressed regret that I should have undertaken to make to the King of Prussia a proposal which it was impossible for him to accept—although, as I mentioned just now, it subsequently turned out that the King had thought

fit to adopt it. Count Bernstorff, whom your Lordships have known for so many years in this country, has found many faults both of omission and commission on my part in proceedings which, I am assured by the highest legal authorities, are the mere routine practice of this country when acting as a neutral. I hardly like to mention these things without making acknowledgment of the singular friendly courtesy which I have personally met with from all the members of the Corps Diplomatique, who seem in this instance to appreciate some of the difficulties with which I have been surrounded, so lately appointed to the Foreign Office, and having to communicate with all of them on matters of such vital importance. I do not in the least complain of the representations I have mentioned. I think it is quite natural that two great nations involved in a death-struggle, such as this appears to be, should look with suspicion on every act of neutral Powers, and that they should have a tendency to feel that those who are not completely with them must be against them, however unfounded the suspicion may be. It is satisfactory, moreover, to me, because I think it shows that, complaints coming from both sides, we have been able up to this time to follow satisfactorily a course that is beset with much difficulty, while it certainly reminds me of the duties which I owe to my own country and to foreign countries in this particular dilemma. As for our position of neutrality, I believe it is a policy approved by your Lordships, by the other House of Parliament, and by the country at large. I believe we are bound with absolute firmness to maintain all the rights which neutrality gives to us. I believe we are perfectly justified in tendering good offices to either country which do not interfere with the demands of justice and impartiality. I am aware of the great responsibility which weighs upon Her Majesty's Government. I know how bound we are to observe every event as it goes on; and I believe your Lordships will agree with me that it is right that we should abstain from all superfluous declarations of what we should or should not do in any possible contingency. I am quite convinced that in order to maintain the honour of this country, and in order to be of the greatest use in restoring peace—if such



restoration is possible—the best course we can pursue is in words and in attitude to maintain a dignified and a calm reserve.

THE EARL OF MALMESBURY: My Lords, after the very temperate and sensible speech we have heard from my noble Friend (Earl Granville), I am sure your Lordships will not be inclined to find fault with the course which Her Majesty's Ministers have thought it to be their duty to pursue under very trying and difficult circumstances, or with the spirit in which they have acted. I feel this personally, because I was once placed almost in the same situation as my noble Friend, and, therefore, I can entirely appreciate the great difficulties in which he found himself placed on his accession to Office. My noble Friend, almost the next day after he received the seals of the Foreign Office, found himself in a position so difficult that it would have caused the deepest anxiety to any man who had been much longer accustomed to that particular Department than the noble Earl, and I cannot fail to say that I think he has met the circumstances in a manner that does him infinite credit; and I really do not see how my noble Friend could have acted in any other way in the difficult position in which he was placed. I may, however, go rather further than he has, because he thinks that under certain circumstances war might possibly, though perhaps not probably, have been avoided. He alluded to the incident, as he calls it, that took place between the King of Prussia and the French Ambassador. Now I really think that had very little to do with the subsequent results. I cannot but think that it was very nearly a foregone conclusion between both parties that this war was, some day or other, to take place. I think all the circumstances which have occurred, and which your Lordships have anxiously watched, prove that my conviction is correct. My Lords, it is a circumstance very worthy of remark that when the King of Prussia was staying at Ems absent from his Cabinet, when these difficult circumstances had actually shown themselves to the public eye, that his Minister, Count Bismarck, should have kept away. It seems to me very extraordinary that he should not have hastened to his Sovereign and have given him that assistance and advice which it surely was his

duty to have given him. I believe it was through his absence, and on account of his absence, that the unfortunate incident took place of the French Ambassador pressing the King for another audience. If, therefore, as my noble Friend sincerely believes, there were circumstances which if they had not been neglected might have prevented war, he may console himself by reflecting—for that is the best test of the matter—how difficult it is now found to make peace. Supposing even that a Congress assembled and a mediation such as the Protocol of Paris in 1856 recommended was in full force, where was the specific cause of war to be found? What could be said at that Conference? Could they give to either side the concession demanded—any disputed territory—that could call for such a war as that now taking place between these two countries, a war without any just cause or any real reason? It would be deceiving ourselves to look here or there for any specific cause or any specific insult on either side. My Lords, the first excuses for anger and war have been entirely given up. We hear nothing about them. The combatants stand face to face, and any moment we may hear of a battle taking place; but what they are fighting for it is difficult for either of them to say, except that the two nations were determined to make war upon each other. Both the Emperor and the King have said that this is a national war. It is a trial of strength between the two nations. Europe, in fact, was too small for these great potentates to live quietly side by side. Her Majesty's Government, or any other Government, wishing to make peace now would find it impossible to do so. There is nothing tangible upon which mediators could put their hand—any proposition by which they could separate these inveterate combatants. Our course is that which Her Majesty's Government has taken, and in that course they will be supported by the Opposition—namely, a course of perfect neutrality. But besides an absolute neutrality on our part we must insist as much as possible upon an honest neutrality on the part of other nations now at peace. It is of the utmost importance that we should speak plainly on this subject, and tell Denmark that she must remain neutral. I assume this country is ready to maintain its treaties and guarantees, and therefore it is most essential

that Belgium and Holland should be told that they must remain perfectly and honestly neutral; and I trust Her Majesty's Government will use every effort the moment they see danger in the direction I have pointed out. I hope that by their advice, and by such pressure as is fair and honourable to all parties, to insist on that neutrality being kept. My Lords, if that is done, I trust we shall pass through this great crisis in Europe without injury to ourselves or those nations which are, fortunately, out of the arena of conflict. We are happily without that arena, and up to this moment I repeat Her Majesty's Government have, I think, done their duty, and I trust they will carefully watch that other countries do the same. But there is one thing of the highest consideration to which I must allude, because it causes great anxiety in men's minds—and that is that although we are without the arena of the conflict, and stand in a neutral position, our national resources must be maintained in such a state as to meet any contingency that may unfortunately arise, and oblige us to mingle in that war which is now confined to the two belligerents. I can quite understand the great anxiety that prevails throughout the country that at this moment our Army is not in the position it ought to be. The noble Lord the Under Secretary for War (Lord Northbrook) said a few evenings ago that our Army was never in a more sound and satisfactory condition than it is at this moment. So far as the common-sense meaning of these words is concerned I have no doubt of it—for so far as soundness goes the Army may be in a very satisfactory condition. But I am not speaking of the quality, but of the quantity; and I fear that our Army, good as it is, is not so large or so numerous as it ought to be under present circumstances. I am not now going into statistics or to repeat facts for which I have the best authority with respect to the numerical force of the Army, but only to express an anxious hope that Her Majesty's Government, under the circumstances, will do their duty, and take care that we have a sufficient numerical force in the country with which to meet any contingency. At the beginning of the Session, when nobody could foresee these storms, it was a matter of frequent congratulation among Her Majesty's Ministers and their

Friends that they had reduced the military force of the country—and there can be no doubt as to the fact. Now, with the possibility of our being drawn into the complications that are likely to arise on the Continent of Europe, I trust Her Majesty's Government will retrace their steps with regard to the Army. It can be no disgrace or dishonour to them under the present aspect of affairs to change the line of policy they adopted in a moment of profound peace. I will say nothing more to-day on the subject. I think my noble Friend opposite will, however, have before long to give your Lordships some information with respect to that Draft Treaty which has first been published in *The Times*, and which though at first not known to be authentic seems by Prussia, at all events, to be declared to be so. As far as I know there is no information beyond the few words addressed to my noble Friend by the French Ambassador. There is at present no official explanation from the French Government; but I think your Lordships will wish my noble Friend to give, if consistent with his duty, any further information he may receive.

EARL RUSSELL: My Lords, I wish to explain in the first place that the precedents to which I referred on a former occasion were those of 1823 and 1864. In both those cases England took no part in the war, but on the breaking off of the negotiations determined to remain neutral. The first related to France and Spain, and the second to the Conference of London which was convened in order to preserve peace between Denmark and the two German Powers, Austria and Prussia. In both instances a statement was made by the Government as to the unfortunate issue of the negotiations, and their determination to remain neutral. With regard to the difficulty which has now arisen, there has no doubt arisen such a state of national temper between France and Prussia as to render it probable that war would before very long ensue; but it is, nevertheless, of the utmost importance to ascertain how this war has commenced, and what have been the immediate causes that have produced it. If I allude to these points it is chiefly because I wish that the personal conduct of the King of Prussia which has been made the turning point in these negotiations should be clearly elucidated and under-



stood. My noble Friend (Earl Granville) quoted a despatch, which states that the personal behaviour of the King to M. Benedetti infuriated the French Government and Chambers, and thus became the immediate cause of the declaration of war. Now, since 1840 I have had the honour of some personal acquaintance with the King of Prussia, and I feel sure that his kind temper, his love of peace, and his gallant behaviour on all occasions, would always induce him to act as became a Prince, a soldier, and a gentleman. The account given in the Prussian papers of His Majesty's interview with M. Benedetti is a very simple one, and had it been placed before the French people must, I think, have made them acquit the King of any conduct tending to his discredit. It appears from the Prussian papers that the King, being at the watering-place of Ems, was accosted by the French Ambassador, who asked him to disavow or recall the consent acknowledged to have been given by him to the candidature of the Prince of Hohenzollern. The King said he could not do that; but that he would communicate with the Prince as to the withdrawal of his candidature. A few days afterwards the King met the French Ambassador on the public walk, and told him he had a newspaper in his hand which showed that the Prince had withdrawn his candidature. That seemed to promise an end of the difficulty which had arisen on account of that candidature; but, to the King's surprise, the Ambassador went on to demand that His Majesty must promise that he would at no time, or under any circumstances, approve or give his consent to the candidature of the Prince of Hohenzollern for the Throne of Spain. The King replied that that was a step he could not take. Soon afterwards he found that the Ambassador had asked for a fresh audience; and he sent an aide-de-camp to tell the Ambassador that the Prince's candidature had been withdrawn, and that in the same way and to the same extent that he had approved the candidature he approved its withdrawal, and hoped, therefore, that all difficulty on that point was at an end. Now, nothing, in my opinion, could be more fair and frank than that conduct. The King, on subsequently meeting the Ambassador, wished to know whether he had anything to say to him other than the pro-

position which he had already made to him. The Ambassador replied that he had no fresh proposition; but that he had certain arguments to adduce in support of the proposition which he had already made, and which the King had already declined. The King, I think, very naturally and properly, said that, as far as he was himself concerned, he had already given his decision, but that if there was a political question to be discussed, he had better go to Count Bismarck, and discuss with him the arguments which were to be adduced. If it was a question of argument and of political discussion, the King was surely quite right thus to refer the French Ambassador to his Minister. The Ambassador asked whether Count Bismarck was expected the next day, and when told he was not said he would be contented with the King's answer. Now, I see nothing rash or intemperate in that conduct of the King; though the French Ambassador seems to have exhibited some want of good temper, caution, and prudence, throughout the transaction, especially in declining to discuss with Count Bismarck, and insisting on discussing with the King. The King has, like my noble Friend (Earl Granville), been exposed to the blame of both parties. While his good temper and anxiety for peace produced a volume of indignation in Germany, his refusal to discuss the matter any more with the Ambassador produced great excitement and fury in Paris. I do not wish to go much further into the matter; but I must refer to the statement of the French Foreign Minister with respect to this conduct of the King—and I am surprised, by the way, that neither his circular to the French diplomatic servants abroad nor the Proclamation of the Emperor, which appears to me of the highest importance, is included in the Papers which have been placed before us. The French Minister for Foreign Affairs says—

“The language, at first hesitating, and then decided and haughty, held by the head of the House of Hohenzollern, his refusal to pledge himself to maintain in the future the renunciation he had sanctioned in the past, the treatment of our Ambassador, who was by a verbal message denied all further communication for the furtherance of his mission of conciliation, and, finally, the publicity given to this most unusual proceeding by the Prussian journals and by the notification of it that was sent to all the other Cabinets—all these successive evidences of aggressive intentions have removed all doubts even from the most pre-

Judiced minds. Can there be any illusion when a Sovereign who commands 1,000,000 of men declares, with his hand upon his sword-hilt, that he chooses to be guided by his own judgment and circumstances?"

Now, I must say it is not necessary or proper that in such a document the King's conduct should have been spoken of in such a manner—it is not usual for the personal conduct and character of a Sovereign to be thus made a ground for war. I do not wish to enter into the main question, for Lord Lyons' despatch of the 12th of July has expressed fully in his conversation with M. de Gramont all that can be said; but infinitely more grave questions may arise in respect to our conduct, and which must not be lost sight of. Everyone in this House must approve the steps the Government have taken, for neutrality is the only course that becomes this country in the present crisis; but it cannot be concealed that great difficulties may arise. The Emperor of the French has declared by his Ambassador that he will respect the neutrality of Belgium, but that statement contained the qualification that he will do so as long as it is respected by Prussia. At any time, therefore, the neutrality of Belgium having been broken by one party may be violated by the other also, and it will have to be considered whether it is our business to look on at that step, or whether we ought not to support Belgium according to our solemn Treaty engagements in her neutral position. Other questions may arise, and our mediation may be required. In such a state of things it seems to me, to be the duty of Her Majesty's Government to see that this country is sufficiently armed. I am not one of those who found fault with them for reducing the Army at the beginning of the year. For a state of profound peace the military and naval force proposed by the Government was adequate and sufficient; but I cannot think it sufficient and adequate for the circumstances in which we are now placed. Without making any boast or ostentation of increasing our Army and Navy, we ought quietly to increase them so as to be prepared for emergencies that are not very unlikely to arise. We cannot shut our eyes to the fact that this is a great war—a war between two of the most powerful nations of Europe. It is stated that 250,000 men will appear in the field on each side, while each Power has

1,000,000 in reserve ready to support them if they fail. This is likely to be the most formidable war we have seen in our days—no one can say at what moment we may be called upon to fulfil our Treaty obligations—and in such a state of things it is not advisable that this country should be unarmed, or should have a force smaller in proportion to that of other Powers than has been deemed necessary in former times. We should also so act with Austria and Russia as to be able at any time to offer our mediation with a chance of its being accepted. It would be useless to make such an offer now; but in the course of the autumn or winter, when the feverish heat which now prevails has cooled down, there may be a disposition on both sides to accept the friendly and reasonable proposals of the neutral Powers. I hope, therefore, the Government will cultivate amicable relations with Russia and Austria—Powers which I am sure are friendly to us—and that they will endeavour by every means in their power to stop a war which, according to all appearances, will be unprecedented in the calamities which it may bring upon nations now pursuing a course of industry in the centre of Europe. I should be sorry if any opportunity of arresting so great a calamity were neglected.

#### CLERICAL DISABILITIES BILL—(No. 210.)

(*The Lord Houghton.*)

##### COMMITTEE.

Order of the Day for the House to be put into Committee, read.

*Moved*, "That the House do now resolve itself into Committee."—(*The Lord Houghton.*)

EARL BEAUCHAMP moved that their Lordships go into Committee on that day three months. The Bill was of no slight importance, inasmuch as its effect would be to alter the status of every clergyman in the Church. Up to the present time, a gentleman taking Holy Orders knew he was incurring the most serious obligations, and pledged himself to devote his whole life to the ministrations of his sacred office. Although the Bill of 1862 relaxed some of the restrictions attached to clergymen, it never proposed to go to this extent. The Inns of Court subsequently allowed clergymen to be called to the bar provided they complied with the requirements they laid down. The



effect of this Bill would be to induce young men to enter the Church without that serious condition of mind or consideration which was so essential to the proper performance of their sacred functions. The 7th and 8th clauses were especially objectionable, inasmuch as they would enable such gentlemen as had abandoned their profession as clergymen to return to their sacred calling. In 1860 a Petition was presented to the House of Commons signed by 15 clergymen, praying the House to pass some such measure as the present; but within a year or two subsequently one of those gentlemen had found out his error and became one of the most zealous of his Order in the discharge of his duties; and another, who had gone over to the Church of Rome, returned to the Church of England, and had ever since administered his sacred functions in a most admirable manner.

Amendment moved, to leave out ("now") and insert ("this day three months.")—  
(*The Earl Beauchamp.*)

THE BISHOP OF GLOUCESTER AND BRISTOL, in supporting the Amendment, said, it appeared to him that this Bill had not received the serious attention in the other House that its importance demanded. The Preamble recited that "it was expedient that relief be given in respect of civil disabilities and in certain other respects" to persons in Holy Orders. Well, they all knew that these disabilities were two—namely, that no clergyman of the Church of England could have the honour of sitting in the House of Commons; and secondly, that no clergyman was eligible to municipal office. It seemed to him that these disabilities could be removed in a far easier way than by a measure of this kind which most seriously affected the whole status and character of the English clergy. Was it wise or proper to hold out to young men such a possibility as the Bill offered? If young men entered the Church with the knowledge that they could at any time divest themselves of their sacred functions, and subsequently resume them, the hands of the Bishops would be weakened. If, on the other hand, after once renouncing the ministry, they were debarred from ever returning to it, the Bill would allow them, by a kind of "happy despatch," to put an end to their ministerial life.

He characterized the Bill as one that was intended more or less to ease the consciences of two or three very eminent men who had taken Holy Orders. He should feel it his duty to give it every opposition.

LORD HOUGHTON said, it was rather unusual on going into Committee to try to throw out a Bill which had passed the House almost *sub silentio* on the second reading. He remembered that the noble Earl opposite (Earl Beauchamp) had once served him just the same trick in the House of Commons when they were both Members of that Assembly, and was successful there; but he trusted to the good sense and justice of their Lordships to defeat his intention with respect to the present measure. The Bill was one of great importance, both to many excellent and respectable persons and to the Church. It provided that no man should be compelled to perform the functions of the Church who did not think himself fit for that solemn office, and who was not ready to accept all the duties and responsibilities which devolved upon him. When men who entered the Church found that these functions were not compatible with their feelings, the Bill relieved them from that painful position by a solemn act of revocation. It was to the interest of the Church itself that no one should be compelled to perform the functions of a minister whose heart did not thoroughly correspond with his duties. It would be time enough to discuss the 7th and 8th clauses when they were in Committee.

THE EARL OF CARNARVON said, the Bill was one which completely altered the status of the clergy, and the House ought to think twice before proceeding with such a measure at this period of the Session, when it could not possibly receive the consideration it deserved. Consideration by a Select Committee would be the best it could receive, and that was now out of the question. He should support the Amendment of his noble Friend unless some suggestions were made which would remove his objections to the measure.

THE BISHOP OF LLANDAFF trusted that their Lordships would proceed with the Bill. When a young man entered the order of the diaconate he made a solemn profession, that he trusted he was moved by the Holy Ghost to take this office, declaring his belief in the Old

and New Testaments, and stating that he held no doctrine contrary to those of the Church. If, unfortunately, anyone after having been admitted on these most solemn conditions felt that he no longer held the same opinions, and could not honestly and sincerely renew these declarations, it was surely much better for the person himself and for the Church at large that he should not be compelled to remain in a false position, and should not be burdened with the avowal of doctrines in which he no longer believed.

THE BISHOP OF ELY thought their Lordships should pause before they passed this Bill. It was desirable that before young men took Orders they should thoroughly consider the consequences, and determine beforehand whether they could give up their whole lives to this sacred office. From personal experience he could say that a good deal of difficulty was now felt by young men in making up their minds on this point; but if they saw that they might take Orders, throw them up, and return to them again, he was afraid that persons, who now thought seriously whether they could devote their lives to the Church, would be induced to think much less seriously about it, and would rush into an office for which they were imperfectly fitted. Another objection to the Bill was that as it enjoined the Bishop to accept the resignation and record it in the register of the diocese, it would make resignation of Holy Orders a distinct ecclesiastical act, and thus by a side wind tend to decide the question of the delibility or indelibility of Holy Orders. He hoped, therefore, their Lordships would pause before giving their assent to the measure.

On Question, "That now stand part of the Motion?"—Their Lordships *divided*:—Contents 52; Not-Contents 29: Majority 23.

*Resolved in the Affirmative.*

House in Committee accordingly.

Clauses 1 to 6, inclusive, *agreed to*.

Clause 7 (Deed of revocation and recalling by Archbishop and consequences thereof).

THE BISHOP OF LONDON moved the omission of the clause. The clause provided that, on executing a deed of revocation, the Archbishop might, if he

thought fit, cause the deed to be recorded in the registry of the Province; and thereon the person executing it should be restored, to all intents and purposes—except that he would be incapable of holding preferment for two years—to the same status as before he executed the deed of relinquishment. This clause was not in the original Bill.

THE BISHOP OF LLANDAFF hoped the clause would be retained. It would obviate in some measure the objection which had been taken to the Bill, that it would operate in deciding the question of the delibility of Holy Orders, inasmuch as the clause provided that the Archbishop might restore a clergyman who had resigned without re-ordaining him; therefore, the person, under this Bill would still remain a clergyman. He could conceive the case of a young clergyman entering on his profession with the highest religious aspirations to promote the glory of God and the welfare of the Church; but he was sure it must be in the experience of every Bishop that he was obliged in a great many cases to ordain candidates for Holy Orders who had but a very scanty amount of theological learning; and when a young clergyman came in contact with the various opinions which were afloat in the present day, and began to doubt, on grounds which, perhaps, he had never satisfactorily examined, the soundness of the principles he had imbibed with his mother's milk, it was not at all improbable that he would experience a severe mental conflict. In his opinion, if a man would only do the will of God, and earnestly seek God's grace, he would eventually be led to a right conclusion; but, meanwhile, he might have to undergo a severe mental struggle. He might be, or imagine that he was, sceptical on the subject of his religion; but it would be a sad thing, supposing him to be confirmed in his original belief after the lapse of a few years, that he should be wholly debarred from resuming his ministry. There were two safeguards provided by the Bill. In the first place, the Archbishop, before re-admitting such a young man to the ministry, had the opportunity of inquiring into the circumstances under which he was led astray, into his present opinions and his moral conduct. It was further provided that the applicant should not be capable of holding any preferment

*The Bishop of Llandaff*



until after the expiration of two years. In addition to this, when at length he obtained preferment, he must, like any other person similarly situated, present to the Bishop of the diocese a testimonial to the effect that for three years he has neither held nor taught anything contrary to the doctrine or discipline of the Church of England. Surely these safeguards were amply sufficient, and their Lordships might with perfect security for the interests of the Church and of religion allow a *locus penitentiae* for these young men. For his own part, he should esteem and value the more a conscientious young man who had gone through a process of mental doubt at a certain period of his life, and eventually been confirmed in the true faith.

THE MARQUESS OF SALISBURY thought the State ought to act towards the Church in this matter as it did towards the other professions of which it held itself to be the guardian. If a barrister retired from the Bar he gave up all claim to be a barrister. So, again, if an officer in the Army or Navy gave up his commission he could not resume it. It appeared to him that there was no reason why a clergyman should be treated differently in this respect from the members of other professions. The rightrev. Prelate (the Bishop of Llandaff) dwelt entirely on the case of conscientious men, who might be interesting psychological subjects; but they seemed, after all, in the position of weak brethren, and furnished an excuse for all kinds of irregular legislation. Their case was not, however, one of common occurrence. They had to deal with a much harder and a much less admirable material, and his opinion was that, in the event of the clause being passed, many a clergyman who did not get on very well in his profession would take a secular employment, and at the same time keep a second string to his bow; for, if the clerical profession improved, or if he had a prospect of obtaining a good living, he might return to the Church. This, he believed, would by no means tend to the advantage of the Church or the edification of congregations.

EARL BEAUCHAMP said, he did not think such cases as were anticipated by the noble Marquess would occur, because absolute discretion was vested in the Archbishop, who would certainly not allow anyone to return to the clerical

profession who was found to be actuated by an unworthy motive. In his judgment the parallel drawn by the noble Marquess with the other professions did not really apply to a calling so sacred as that of a clergyman. He trusted the right rev. Prelate would not persist in his opposition to the clause.

LORD LYVEDEN said, the clause would allow a person to play fast and loose, and as playing fast and loose would be highly discreditable to the clerical profession, he trusted their Lordships would reject the clause.

LORD HOUGHTON said, that his sentiments accorded with those of the right rev. Prelate (the Bishop of Llandaff) rather than with the extremely secular and almost light opinion of the noble Marquess, which, indeed, was hardly respectful to the Church.

On Question?—Their Lordships divided:—Contents 13; Not-Contents 71: Majority 58.

*Clause struck out.*

Remaining clauses agreed to, with Amendments.

The Report of the Amendments to be received on *Monday* next, and Bill to be printed, as amended. (No. 254).

SHERIFFS (SCOTLAND) ACT (1853) AMENDMENT, &c. BILL.—(No. 243.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 12, inclusive, agreed to.

Clause 13 (Courts to be held and duties to be discharged by sheriffs).

LORD COLONSAY moved to omit all the words after the word "authority" in line 11, page 5. The words proposed to be omitted provided that all sheriffs, whether appointed before or after the passing of the Act, should be relieved of the duty of attending the sittings of the Court of Session. The Amendment, if agreed to, would leave them under their present obligation of being compelled to attend the Courts at Edinburgh at least two months in every year—the object, of course, being that they should keep up their knowledge of the progress of the law.

THE LORD CHANCELLOR thought the Amendment unnecessary.

LORD CAIRNS supported the Amendment. The assistant barristers in the County Courts in Ireland were gentlemen who practised in the Superior Courts. What had worked well in Ireland could scarcely fail to be advantageous in Scotland.

LORD PENZANCE objected to the Amendment.

On Question, "That the words proposed to be left out stand part of the clause?"—Their Lordships *divided*:—Contents 28; Not-Contents 33: Majority 5.

Words omitted.

An Amendment made.

The Report of the Amendments to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 257.)

#### INDIA—FINANCIAL STATEMENT.

THE DUKE OF ARGYLL rose, in pursuance of Notice, to lay on the Table of the House despatches relative to Finance in India, and to make a statement on the subject. He said, he was very sorry to be obliged to address the House that evening; but he was sure the noble Marquess opposite (the Marquess of Salisbury) and other noble Lords present agreed with him in thinking that there were at this time questions of great moment connected with the finances of India, to the solution of which the people of India were looking with very considerable anxiety. He therefore felt that, whatever the state of the House, it would be scarcely decent to again postpone the statement of which he had given Notice, especially as it was not at all certain that he should have an opportunity of making it to a larger House; but one promise he would give their Lordships—that his speech should not be a long one. His opinion was that the expositions of Indian finance were often loaded with an unnecessary amount of detail, with masses of figures which such of their Lordships as were not well acquainted with financial accounts would not be able to understand and digest. In figures he should confine himself to general results; but he should also direct their Lordships' attention to some of those points of policy and principle which now required consideration in connection with the government of India. The general result of the finances of the last year

*The Lord Chancellor*

was this—When the Budget was produced Sir Richard Temple estimated that there would be a surplus of about £52,000; but in the course of September—when Sir Richard Temple was absent on leave in England—it became evident to the Indian Government that there were material errors in the Estimate. A telegram was sent to the Government at home, stating that on a reconsideration of the figures, and looking to the new liabilities which had come upon them, the Indian Government had every reason to believe that at the end of the financial year there would be a deficit of upwards of £1,500,000, and in the face of such circumstances they had determined to take immediate steps for the retrenchment of their expenditure, and to obtain an increase of the Revenue of the country. During the remaining months of the year much doubt was felt as to the practical effect of those measures, for up to a late period of the year it was doubtful whether there could be any retrenchment, and whether there would be such an increase of the Revenue as would extinguish the anticipated deficit. In March, when the regular Statement was framed on 10 months of actual expenditure and an Estimate for the next two months, the Government of India were hopeful enough to think that the deficit would be little more than £500,000. A few days ago he received a telegram from Lord Mayo, saying that before the Financial Statement was made to this House, he would be able to telegraph, if not the actual figures, at all events some approximation to the result of the last financial year, and last week he received another telegram from the noble Lord, which justified the belief that there would not be a deficit, but probably a surplus of between £100,000 and £200,000. Much undeserved blame had been cast on Sir Richard Temple for the errors which were contained in his Financial Statement; but it should be remembered that during the last 10 or 12 years there were very few instances in which the actual outcome of the accounts was not wholly different from the figures presented in the Budget. This remark was equally applicable to the Budgets of Mr. Wilson, Mr. Laing, and every other Finance Minister. The truth was that there were some elements of uncertainty in the finances of India which



removed them altogether from the position of our finances at home as regarded the possibility of estimating the Budget at the beginning of the year. In the first place, the Opium revenue was proverbially uncertain; secondly, there were great droughts in India which affected the expenditure on public works; thirdly, about £1,300,000 of the Revenue of India was spent in England for stores the price of which fluctuated; fourthly, there was a varying amount of loss on the enormous sums dealt with in exchange between England and India; and, lastly, there had been some obvious mistakes, owing to the omission of items of Revenue and Expenditure which ought to have been taken into account. Whatever fault might be charged upon Sir Richard Temple, he was bound to confess that in the Estimate for last year the India Office at home was responsible for a mistake of between £200,000 and £300,000; but he hoped that in future the accounts would be prepared with greater accuracy, and he believed that steps were being taken by Lord Mayo to effect that result. Although the change which had been effected in the result of the financial year was mainly due to the measures that Lord Mayo and his Government had taken, it would not be true to suppose that the difficulties of Indian finance had been solved by the fact of there now being a surplus instead of a deficit. Looking to the great increase in the Revenue of that country during the past few years he always returned to the accounts with the thought—“How is it possible we can have any difficulty with this magnificent, this Imperial Revenue of £48,000,000 or £50,000,000?” On looking at the accounts for the year ending last April he found that £1,500,000 was due to extraordinary causes; but ordinarily the Revenue was not less than £48,500,000. How was it possible, then, that there could be any difficulty in disposing of that Revenue? In order to bring that question home to the House he would analyze the expenditure, which would be found classified under six or seven heads. In the first place, £1,892,000 was paid to the Native Princes under various treaties and obligations. Then there was the interest of the debt, amounting to £5,700,000. The Government guarantee for railways amounted to £1,500,000. These sums together made a total charge of £9,090,000, leaving for

other purposes £39,400,000. And how was that disposed of? The cost of collection was £7,399,000; the cost of the Civil Service, £12,649,000; the cost for the Army £16,500,000; leaving a surplus of £2,850,000, which was entirely swallowed up in ordinary public works. Was it possible to effect a reduction in any of those items of expenditure? There was no prospect of any diminution in the sum to be paid to the Native Princes; but as regarded the interest on the debt there would be, during the next 10 or 15 years, operations in that debt which would afford opportunities, if their credit remained good, of reducing the interest to be paid. Three weeks ago he should have spoken with a confident hope of being able to save a considerable sum within a short period, for much of the debt was borrowed at 5 per cent; while lately the Government had been borrowing at 4 and  $4\frac{1}{2}$  per cent, and when the time came for their paying off existing loans and contracting fresh ones, he hoped they might have been able to save a considerable sum. Unfortunately, the war which had broken out in Europe was already affecting the monetary securities of all nations, and among others those of the Indian Empire, and there was not now the prospect of raising money on favourable terms. He earnestly trusted that the war would be a short one, and that India would obtain that benefit to which it was fairly entitled from the high condition of its credit. As regarded the public debt, in 1874 the old capital of the East India Company would be paid off, on which there would be a gain of £450,000; but they could not count on any other great saving being made for some years at all events. As to the guaranteed railways the loss in the year just ended was £1,500,000, and the Estimate for the current year was £1,200,000; but, as during the past three or four months there had been a remarkable increase in the traffic—the increase being £250,000—there was a prospect of there being a reduction of the charge accruing on account of existing railways, though against that must be set the amount that would have to be paid on lines that were now being constructed. On the whole, the result of the working of the Indian railways was by no means unsatisfactory, for the total capital was upwards of £82,000,000, and the total loss, even in a comparatively bad year, was £1,500,000.

The next item related to the cost of collection, which stood at £7,399,000, and there was no prospect of any considerable diminution in it. Indeed, he doubted whether there would be any diminution at all. It should be remembered, however, that under this head were comprised not only charges corresponding with those that arose in the collection of the Revenue in this country, but such as were peculiar to India—namely, advances made to the opium cultivators and expenses incurred by the Government in the manufacture of salt. These advances and expenses amounted together to £2,200,000, out of the total sum of £7,400,000; and the cost of collection during the present year showed an increase of £500,000, due partly to the extended cultivation of opium. In the Estimates of the current year Lord Mayo had made a sensible diminution in the charges for civil government from £12,649,000 to £12,352,000, showing a reduction of £297,000. Under the head of civil government came the cost of education. The attention of Lord Mayo and the Government had been directed to the fact that the intention of various Secretaries of State, and especially of his noble Friend (Viscount Halifax), had been to a considerable extent departed from, and that the charges for education had been growing very rapidly for the benefit of those classes who could afford to pay for their own education; whereas, the charges incurred for the benefit of the poorer classes and for vernacular education had not increased in the same proportion. Lord Mayo had instituted a review of the whole system, for the purpose of saving the Revenue in regard to the higher class schools and Colleges, without unduly interfering with existing interests and long standing arrangements. He could not state what the reduction would be; but the principle of it had been sanctioned by Her Majesty's Government, nothing being proposed at all at variance with the despatches of 1854 and 1859 from Lord Stanley and the noble Marquess (the Marquess of Salisbury). The total saving on the cost of the civil government was £297,000. Of course, the great item of expenditure was the Indian Army, which had absorbed £16,481,000. The Government of India proposed certain reductions in the European Force of India, which had received the sanction of the

Imperial Government. They were reductions mainly in the Staff of the Army, and in the number of regiments; but were not reductions in the number of bayonets. Sir William Mansfield, and other authorities, were of opinion that the military force in India was not greater than was necessary for the safety of the country; but they thought an important saving might be effected in the Staff and organization of the Army, the regiments serving in India being brought more nearly up to a war footing. This change having been sanctioned by the Government, some regiments had been brought home, and now in India there were 50 regiments of Infantry, with 41,000 bayonets, instead of 52 regiments, and nine Cavalry regiments instead of 11. The saving thus made amounted to £500,000, and would be an important relief to the finances of India during the current year. It was right to add that Lord Mayo proposed some further saving through a reduction in the Native Army; but certain differences of opinion, into which it would be inexpedient to enter, had arisen between Lord Mayo and the Government at home as not the mode merely in which this saving should be made. He hoped, however, that some arrangement would be entered into for reducing the cost of the Native Army. The Indian finances were, more or less, suffering from the necessary magnitude of charges connected with our regimental system at home; discussions might arise upon the particular items, but the principle adopted had been that India should be charged with the full cost of the whole force employed there, including its fair proportion of the effective and non-effective services. There could be no doubt that, under the old system, the Company recruited its European force at a much smaller cost than was possible under the existing system; and if there were not important political considerations adverse to the old system, the Indian Government might recruit its force at a much less cost. He was one of those who advocated the amalgamation of the two armies, and still believed it would be a serious political danger to India to have a large European Army there, separated in spirit and in feeling from the Imperial Army of the Crown; but he was bound to admit that the increase of expenditure thrown upon the Government of India by the results of amalgamation and the



exclusive employment of European troops had been greater than he or anyone could have anticipated. It would be the duty of the Government to see that the expenditure was reduced to a minimum consistent with the efficiency of the force, and not interfering with the organization of the Imperial Army, which must depend on Imperial considerations. But the expenditure must not be rudely increased as against the people of India. It would be an awkward circumstance if, under the pressure of high taxation, the people of India had any reason to suppose that we were exacting tribute from them through the medium of expenses which were not strictly due to the defence of India, or exclusively for Indian purposes. He might remind the House that the Act of Parliament specially provided that the Indian Revenue should be expended for the purposes of India alone, and any expenditure on the British Army not strictly connected with Indian purposes would be at variance with the Act, adverse to the policy of Parliament, and at variance, also, with their duty to the people of India. As far as it was recommended by the Government of India, the reduction he had indicated had been carried into effect, and a further reduction of Native troops was now under consideration.

He now came to the question of public works, apart from which we had a large surplus of Indian Revenue. It was very important that the House and the country, as well as the people of India, should observe this fact. They were perpetually talking of the deficits in Indian Revenue, and it was perfectly true that, as a mere matter of account, there had been a chronic deficit. But, taking the Revenue at £48,500,000, and defraying out of it the enormous military expenditure of £16,500,000, with all the cost of collection and the charges of civil government, there was still left a surplus of £2,800,000. In short, the deficits which had arisen in Indian finance had been due entirely to the expenditure on public works. In the year 1869-70, an expenditure of between £5,000,000 and £6,000,000 sterling was incurred on ordinary public works. This being so, it was very important that some attention should be paid to what were called ordinary public works. During the last two years the expenditure had been augmented considerably by the cost of

barracks, though general improvements all over the country, apart from the barracks, had largely contributed to the expenditure. Last year, with regard to barracks, he stated that those which were projected would cost £10,000,000 sterling, and he concurred with the noble Marquess that while it was all very well to talk of defraying the cost of those works out of Revenue, if at the end of the year a loan was found necessary, it came to the same thing as if you borrowed from the beginning. But the system of borrowing for public works had an injurious effect upon the plans for those works, and Lord Mayo had expressed a strong opinion to the Government of India to the effect that, if from the first it had been contemplated that the barracks should be paid for out of Revenue, they would never have been devised on so extravagant a plan. Information had reached him which threw a melancholy light upon the construction of great public works, planned under the expectation that the cost would be defrayed by loans. Their Lordships would, no doubt, have seen in the newspapers many letters complaining of the construction of these barracks. They were said to have failed in their purpose—to be more uncomfortable, if not more unhealthy, than the old barracks had been. At the request of Lord Mayo, he had recently seen Dr. Cunningham, who was at the head of the sanitary department of the Army of India, and possessed of Lord Mayo's views upon the subject of the barracks. He said that in Bengal, where the climate was less dryly hot than in the Upper Provinces, there was no very great complaint with regard to them; but, in the Upper Provinces, they were really intolerable. As Lord Napier had had much to do with the building of these barracks, and was about to return to India, a meeting was arranged in the India Office between him and Dr. Cunningham, who was very severely cross-examined on the subject by Lord Napier to show that if the barracks had been completed by the addition of all those appliances rendered necessary by the climate, in accordance with the original design, there would be no room for complaint. The impression left upon his mind from this conversation was that, although it might be true that the addition of verandahs and a constant ap-

plication of water in the upper stories would make a great change for the better, the improvement would involve great expense, and yet not be perfectly satisfactory. Sir William Mansfield had called his attention to the habits of the soldiers, which bore upon this question. The barracks were constructed under the impression that the men would use the upper storey for sleeping purposes and the ground floor for recreation; but it seemed that the soldier when not on duty, or engaged in out-door recreation, was generally found by his bedside at work upon his accoutrements, perhaps, or else taking rest upon it; and, considering the upper storey was little better than a great sun-trap, which did not cool even by the morning, the soldier suffered from the heat. Altogether, he had come to the conclusion that it would be better not to finish the barracks, and that, at least as regarded the Upper Provinces, barracks of one storey only should be built with thicker walls and fuller accommodation for the men, so that their place of recreation should be in close proximity to their sleeping apartments, and that they should not be obliged to go upstairs to an oven when they wished to rest or amuse themselves with their own affairs. The cost of these barracks was a necessary consequence of a standing Army, and should form an annual charge upon the Revenue just as they would in this country; but it would be more economical if they were treated as extraordinary works.

The total expenditure for the current year had been framed in the Budget to show a saving of £1,500,000, so that Lord Mayo had not only succeeded in obtaining a small surplus in 1869-70, but proposed a saving in addition for 1870-1. Last September, the Government was alarmed to find a considerable deficit, and recommended a considerable increase in the salt duties in Madras and Bombay, and to raise the income tax from 1 to 2 per cent for the remainder of the year. He had sanctioned these measures without hesitation, and it was owing to the adoption of this policy, accompanied by a reduction of expenditure, that an equilibrium had been maintained. He had consented to the increase in the salt tax with very great reluctance, because, as he had stated in the despatch to India, although the evidence was rather in fa-

vour of the salt tax not being oppressive in Lower Bengal, it could be almost positively stated that it bore heavily on the poor inhabitants in the Central and North - West Provinces of India; and as salt could be manufactured in a rough way in India, a very heavy tax would lead to evasion of the duty. Five annas a maun, however, was not much, and the Government got £300,000 a year by the increase; but if that addition to the Revenue were purchased by a very considerable diminution in the consumption, the tax could not be justified.

He next dealt with the income tax. Seeing that opium could not be expected to yield more than £6,900,000—full £1,000,000 less than last year, the Government of India felt they could not secure a surplus without increasing the income tax; and he consented to an increase to  $3\frac{1}{2}$  per cent. Public meetings had been held on the subject, and memorials had been presented to the Government alleging the total unsuitableness of the income tax to India, a view which would naturally be taken by those who were subject to the tax. In the licence tax of 1867 and the certificate tax of 1868 there was an element of injustice. Those taxes were applicable to trades and professions; and thus, while the Government's own officers, and all Native traders were subject to the tax, proprietors of land were exempt. Sir Stafford Northcote had pointed out the injustice in a despatch, and he had expressed the same view. This injustice had been remedied in the Income Tax Acts of 1869 and 1870. The income tax would be borne as long as it was kept low, and it was not high this year as compared with our own. We were spending upon that country immense sums for public works, which were fully as important for India as any of the reforms introduced by Lord Napier. For his own part, he could not see why the income tax should not be a permanent instrument of Indian finance, provided it could be kept within reasonable limits. The present rate was  $7\frac{1}{2}d.$  in the pound. Now, in four years during which there had been profound peace in this country, our income tax had stood at  $9d.$  or  $10d.$  in the pound, that rate being borne, he would not say with great pleasure, but with comparative contentment by the people of this country, because they were convinced that the Revenue thus raised



was expended in a manner calculated to benefit them. If, then, the people of India could be persuaded that the amount yielded by the income tax was expended for their benefit, and not extravagantly wasted, they would see the necessity of bearing, even in the time of peace, those imposts which were necessary for the financial security of the country. At the same time, he had no hesitation in expressing his regret that the Government had found it necessary, during a time of profound peace in India, to raise the tax to the comparatively high figure of  $7\frac{1}{2}$  *l.* in the pound. Indeed, he should be very glad if the Government could reduce that tax to a point at which it might more permanently remain as a steady instrument of Indian finance.

He would next direct the attention of the House to another subject, second to none in importance as regarded the expenditure of the Indian Empire—namely, imposing on local cesses or assessments no inconsiderable part of those public works which had hitherto been provided exclusively out of the Indian Revenue. His noble Friend and Kinsman Lord Dalhousie had remarked that the people of India would do nothing for themselves; that they trusted to the Government to do everything in the nature of public works; that even the repairing of tanks and the embanking of small irrigation courses were left to the Government to execute; and that in matters of this kind it would be most important to encourage private enterprise in India. He should be sorry to say that the course taken in giving guarantees to public companies had had the ultimate effect of stopping private enterprise in India, except when the Government came forward with a guarantee; but the truth was that when once the example of guarantees had been set it was almost impossible to get rid of them. In his opinion, however, this was not properly private enterprise at all. It was nothing more than the enterprise of the Government acting in a most inconvenient form and at a great loss to the Revenue of India. His noble Friend thought that the expenditure for the education of the people, the making of roads and embankments, and other improvements of that kind ought to be provided out of local cesses or assessments; but he was met by an unexpected difficulty, for Sir William Grey, Lieutenant Governor of Bengal, although he at one

time appeared favourable to the project, afterwards took a wholly different view of the subject, and said it would be a breach of faith on the part of the Government if they increased, in any way whatever, the demands made upon the agricultural classes. A correspondence was carried on for two years in reference to this question, and was resumed when Lord Mayo went out. The Lieutenant Governor of Bengal, however, continued his resistance to the proposal, and finally the Government of India appealed to Her Majesty's Government to set the question at rest. During the time he had held his present Office he had never been called upon to deal with a more important and, in some points, a more difficult subject; but he at last arrived at a very clear and thorough conviction as to the course the Government ought to take. He would now lay upon the Table a copy of the despatch which would settle the question as far as regarded the opinion of Her Majesty's Government. It was to the effect that there was nothing whatever in the permanent settlement and the promises given to the Zemindars of Lower Bengal by Lord Cornwallis which disentitled the Government of India from throwing upon local resources the expenditure which was necessary for local purposes. In this matter he was sorry to say he had met with the opposition of some of the oldest members of the Council, and it was only by a narrow majority that he secured the assent of the Council to the despatch which he now had the honour to lay upon the Table. That despatch was accompanied by the protest made by the minority, and he earnestly recommended the Papers to the attention of their Lordships, because they dealt with a question second to none in importance as regarded the Revenues of India. He might here point out that the argument based on the permanent settlement of Bengal was equally applicable for a certain time to all the other settlements in India; for if, in consequence of the permanent lease given to the Zemindars of Bengal, we were precluded from raising local cesses for local purposes, the same argument would disentitle us from raising a single sixpence in the other parts of India during the continuance of the existing settlements, which were for 20, 30, or 50 years. The despatch to which he had just referred had been received in India, and the

Lieutenant Governor proposed to bring in a Bill, in the course of the present year, for raising £500,000 for constructing roads, and from £200,000 to £300,000 for the purposes of vernacular education. It was intended that these local cesses should be made as far as possible with the co-operation and concurrence of the Natives of India themselves, in order that they might be convinced that the works proposed to be executed would be for their benefit.

✓ Their Lordships had, perhaps, noticed in *The Times* of that morning a short report of a long address delivered by Sir Charles Trevelyan, who had had great experience in Indian affairs, and who was in favour of the decentralization of finance in India. The same opinion was held by his right hon. Friend the President of the Board of Trade (Mr. Bright); but he could not help thinking that those who went in for a rapid decentralization of finance in India did not fully perceive the difficulties of the case. Indeed, the natural tendency of events was at present in favour of the centralization of the management of finance in Calcutta; but this project of local cesses had a most important bearing in the direction of decentralization. He might remark that the great expenditure which caused all our deficits was on account of ordinary and extraordinary public works. Soon after he came into Office he had his attention directed to the remarkable fact, in reference to the immense sums we were annually spending on public works, that we really had no security for the adequate education of the officers through whose hands they passed. It was true there was one College in India for the ✓ education of civil engineers; but the great supply of civil engineers came from England, and there was no security with regard to their education and scientific attainments. He was not, of course, speaking of the great civil engineers from this country, who might be employed by the railway companies, but of the rank and file of civil engineers in India who were sent out by the Government, and in whose case, he must repeat, there was no adequate security that they had obtained an adequate scientific education. Under those circumstances, he could not help inquiring whether it would not be of great value that we should provide a College for the educa-

tion of those civil engineers, and erect them into the character of a service imbued with something of the old spirit of the servants of the Indian Government—some of the *esprit de corps* which was so valuable in the old servants of the East India Company, something which would make them serve the Government, from the feeling that they belonged specially to its service, while they should go out from this country with something like an adequate scientific education. That matter had been for some time under the consideration of the Government, and they had arrived at the conclusion that it was desirable to take measures for the education of civil engineers, looking to the long time which the construction of great public works must occupy in India. It was proposed that the entrance to the College which it was intended to establish should be by open competition, and that the young men admitted to it should be educated in the scientific requirements which were connected with their profession. A very distinguished officer who had returned from India—Colonel Chesney—had his heart in the work, and he looked forward to the experiment with great hopes of success. It would afford an opening to young men in this country which they would, he thought, be anxious to seize, because it would enable them to secure a very considerable position almost immediately on their arrival in India, when they would start with a salary of about £400 a year, and rise in their profession by selection and ability. They would be entirely at the disposal of the Governor General of India, and they would have the prospect of retiring with a pension larger than in former times.

He was sorry to have troubled their Lordships so long; but the Statement was one which was looked forward to by the people of India with great interest, in respect of whose affairs great questions of principle had lately been debated. He hoped he had made clear to the House what were the views of the Government on those questions of principle, and if any doubts existed on the subject in the mind of any noble Lord, they would be removed by the Papers which he was about to lay on the Table.

Before he sat down he wished to say a word or two with regard to his noble Friend Lord Mayo, the Governor General of India. A sufficient opportunity



had now been afforded for judging of the manner in which his noble Friend worked his great Office, and he could not allow the present occasion to pass without expressing his sincere admiration of the devotion with which he attended to its duties. Lord Mayo was earnestly and anxiously desirous to secure the benefits of British government to the people of India, and was unsparing in the use which he made of his time and ability in dealing with the minutest details of the finances and public works of that country. He had even taken the unusual step for a Governor General—a step which even perhaps was open to some objection, while it showed his willingness to shrink from no labour—of charging himself departmentally with the conduct of public works in India, and he took an eager and energetic part in the discussion in the Council with respect to them. Having made those few remarks, which he felt to be due to the services of his noble Friend, it only remained for him to thank their Lordships for the attention with which they had listened to his statement.

The noble Duke then *presented* (by command) a Statement on East India (Finance): And also, Papers relating to the levy of a Road and Educational Cess in Bengal.

THE MARQUESS OF SALISBURY said, he had to thank the noble Duke for the able statement he had made, and which was both of an interesting and satisfactory character. The finances of India unhappily presented more than one point of contrast with those of this country. The efforts of an English financier were generally directed to the question of dividing the surplus which he expected to have, while the Indian financier was chiefly concerned with the duty of providing for an impending deficit. He regretted, he might add, that an outcry had been raised on the subject of the income tax. The obstacles in the path of the Indian financier were enormous. If he wished to impose a duty on exports or imports, he had to consult the interests and convenience of 200,000,000 of people. If he turned to the land, he was met by the agreements with Zemindars and charged with a breach of faith; while the consumption of the inhabitants of India was so restricted that any attempt to raise money on the article

of salt was almost impossible. When the last remedy was tried and the income tax was resorted to, outcry was raised by all those who formed public opinion in that country, owing to the heavy nature of the tax upon them. For his own part, he must confess that, although he looked on the tax as inevitable and right, he could not help sympathizing with those who endeavoured to induce the Secretary of State for India to reverse his decision on the point. It was true that our outlay in India had tended largely to increase the prosperity and civilization of that country; but to the people with fixed incomes it had brought no benefit whatever. Many of the points which the noble Duke had alluded to had been under the consideration of the Government and Council of India for many years past, and he was glad to find they had been decided in a way that seemed to promise best for the future of India. He was glad to hear the statement of his noble Friend with respect to those unhappy barracks which had been hanging like a millstone for so many years round the neck of Indian financiers. India had in that respect suffered greatly from what might be called the weight of public opinion in England. Those works were the result of the Crimean War. They originated in a feeling which was most estimable and admirable; but which, like many other good feelings, was pushed to too great an extent. The barracks, however, had been stopped, and he earnestly hoped a more sober view as to military objects would prevail in connection with the public works in India. With respect to the question of loans for military works, his noble Friend, it seemed to him, did not lay so much stress as he ought to have done on one or two considerations. It was better boldly and honestly to have recourse to a loan than, by relying upon overstrained estimates of future income, to run the risk of adding to a long list of deficits. It had been said that by resorting to loans public credit would be injured; but nothing had so deleterious an effect upon public credit as repeated heavy deficits. He should greatly prefer that the funds for defraying the charge of erecting the new military buildings should be raised by a loan rather than that they should be provided out of income at the risk of causing another of those deficits which

had for so long been a scandal to Indian finance. There was no valid objection to a loan being raised for such objects, because the public debt of India was very small compared with the Revenue of that country. What weighed upon their credit was the general impression that their resources were very near an end. Considering how large a portion of their Revenue came from a precarious source, he could not help renewing the entreaty which he made of his noble Friend last year, that he would press upon the Government of India the necessity of assuming all their income at the lowest possible figure and their expenses at the largest, and rather to make up the difference by resorting to the public creditor than to add one more to the disgraceful series of balance sheets.

LORD LYVEDEN said, he regretted that the noble Duke had not made his statement upon the finances of India at an earlier period of the Session, when a graver and more useful discussion might have been held upon the subject than was possible on the present occasion. His noble Friend spoke of the great difficulty of evoking public opinion in India in respect to economy. The civil servants there, as a rule, did not wish for a reduction of expenditure, and there was no public opinion to back up any attempt at such reduction. It had been stated, at a public meeting recently held in Bombay, that between 1856 and 1870 an increase in the Revenue of £19,500,000 had all been eaten up by the increase in the Expenditure, and that whereas in 1863 the military expenditure was £14,000,000, in 1870 it had increased to £16,000,000, although the number of troops had been reduced by 6,000. These were matters which ought to receive the grave attention of the Indian Government. He should not advise that the European Force should be reduced by a single man; but the Native Force might well be reduced, especially in the tranquil Presidency of Madras. He hoped his noble Friend would turn his attention to the necessity of effecting economy in India. A great outcry had been raised in India against the income tax; but he did not see how it was possible to do without it. The new barracks in India, he believed, were universally condemned. Everything ought to be done for the health and comfort of the soldiers; but it was unwarrantable

extravagance to build superb houses for their residences. He agreed with the declaration in the despatch of the noble Duke of last September that the military expenditure might be reduced by £1,500,000, without reducing the force of a single regiment. He wished to know whether any proposal for dealing with the subject of recruiting had emanated from the joint Committee of the War Office and of the India Office which had been appointed to inquire into the matter? India was under one very great difficulty—it was not allowed to make its own regulations with respect to cotton or customs. The moment they attempted to do so the manufacturers of Manchester raised an outcry of an interference with the principles of free trade. During the American War there was a great demand for Indian cotton; but since that war had terminated the demand, in a great measure, had ceased, and it was not surprising that the cultivation of cotton was not carried on for an uncertain market. With a view to secure economy, he would suggest to his noble Friend to consider the propriety of sending out some competent person from this country, as Mr. Wilson and Mr. Laing had been sent out, as it was quite certain that those having the management of Indian financial affairs would never take the necessary steps for bringing about such a result themselves. Indeed, he thought the Government contemplated such a step, as he had read in the papers that the First Commissioner of Works had been selected for the purpose.

LORD LAWRENCE said, he rejoiced to hear what his noble Friend had stated with respect to Sir Richard Temple. He must say that that gentleman had fallen upon evil times. Amongst the many excellent officers he had known during his career in India, he did not know one whose zeal, ability, or earnest desire to do his duty, both to India and the Home Government, surpassed that gentleman's. With respect to the barracks, he could not say that he was altogether enamoured of them; but he thought that they had been somewhat harshly criticized, as they had certainly proved successful in the North-Western Provinces. But in other parts of India, more particularly in Lower Bengal and the Central Provinces, he thought that double-storied barracks were suitable to the country. Everybody there who could



get a double-storied house did so, and that showed that such buildings were useful. No doubt there was a great deal in what Sir William Mansfield said about habit; but still he should have thought that the English soldiers, when they found the upper rooms too hot for them, could carry their beds down below. The plans of these barracks had been approved by all the authorities in India after full consideration, and subsequently they were sent to England and were approved by the authorities here. If these barracks had proved failures, of course, the Government ought not to build any more of them. In reference to the remarks which had been made touching the increase of Revenue and Expenditure, he thought that a careful scrutiny of the figures which were published from time to time would account for what at first sight seemed so strange. The greater part of the Revenue of India was raised from some six or seven items, and a considerable portion of the increase of Revenue arose from increased taxation, or from a precarious increase in the customs. Among the items of expenditure given in the Budget was one for the telegraphs. Some years ago it would not have appeared in the Budget. The expenditure on telegraphs was at present larger than the receipts from that source. Then, again, there was a very much larger expenditure than formerly upon the post office, and there was also the increase of interest in consequence of the increase of the debt. He could not but think it was a great mistake to have allowed the income tax to expire in 1865. Mr. Wilson, who, no doubt, did a great deal to reduce the expenditure and put the finances of India in order, to facilitate the arrangement of that tax, which was a matter of some delicacy, limited it to five years. The consequence had been that when the five years expired everyone cried out against the income tax, and the authorities in India had not the courage to re-impose it. If the income tax had been retained, even at 1 per cent, it would have given some considerable resources without inflicting any considerable burden. But it was objected to by the English in India, and to please them it was allowed to expire. He must say that, in his opinion, the English in India ought not to object to pay for the advantages which they en-

joyed in pecuniary respects, and also in respect of position. Very many of them occupied higher positions there than they could have hoped to fill in this country. As regarded the Natives, the income tax only affected a small portion of them. There were only about 200,000 persons who paid the tax; and, of course, they said how unjust and abominable it was that the tax should be placed upon a few only and should leave the mass free from it. In many instances it touched the pockets of those who had hitherto paid scarcely any taxation; and hence the grievance. He thought that it was a most serious matter that we should do anything in India which had a tendency to increase our debt. We were a small number of people there, managing and controlling many millions; and when war, convulsion, and disturbance arose we could not expect to raise any material additional amount by taxation, but must borrow money in order to bring the disturbance to an end as quickly as possible. He held most strongly this—that the sound policy in India was that we should borrow for only thoroughly productive works, and that for all other works we should, as far as possible, make the year's income pay the year's expenditure. He thought that if this principle were acted upon, not in any narrow spirit, we should not only be able in the long run to do all that was really necessary for the welfare of the country, but should be able to pay our way with the income of the year. He did not deny that it was a wise policy to keep the income tax down as low as possible whilst the people of India protested against it. He thought that they very naturally protested against the administration of the Government at home and in India. It was felt that there were some items which were unfairly charged against the Revenue of India. Last year he protested against the charge made upon India in reference to the Abyssinian War; and now he would mention two or three other items. Some years ago there was established a telegraphic line of communication between England and India, and the whole expense of that line—upwards of £1,000,000—had been charged against the Revenue of India. That seemed to him to be very unjust. The advantage had been very great to England, and each country should have paid half the

expense. In the nature of things, the line was one that would never pay. He thought also that the charge for supplying India with troops should not be higher than was absolutely necessary—that was, that the charge should be upon the lowest scale. Further, he did not see why India should pay anything on account of our establishment charges in China. All these items made up a large sum; but the question was not so much the amount of money as the feeling that the charges engendered in India. Whilst the Englishmen exiled in that country complained of the income tax, the whole people of India complained that novel taxes were levied upon them, and that in certain instances they were paying more than they should pay for charges in England; and these things ✓ caused great dissatisfaction.

Then the Statement respecting East India (Finance): And also, Papers relating to the levy of a Road and Educational Cess in Bengal: Severally *presented* (by command), and *ordered* to lie on the Table:

House adjourned at a quarter before  
Ten o'clock, till To-morrow,  
Three o'clock.

## HOUSE OF COMMONS,

Thursday, 28th July, 1870.

MINUTES.]—SUPPLY—considered in Committee  
—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—Ordered—First Reading—Meeting of Parliament [247].

First Reading — Beerhouses \* [248]; Judicial Committee \* [249]; Passengers Act Amendment \* [251].

Second Reading — Census (Ireland) \* [237]; Petty Sessions Clerk (Ireland) Act (1858) Amendment \* [238]; Real Actions Abolition (Ireland) \* [242]; Pensions Commutation Amendment \* [244]; Norfolk Boundary \* [217].

Committee — Report — Glebe Loans (Ireland) [222]; Census (*re-comm.*) [211]; Brokers (City of London) \* [71]; Corrupt Practices Acts Amendment (*re-comm.*) \* [235-246].

INDIA—ARMY—MUZZLE-LOADING RIFLE.

### QUESTION.

COLONEL LINDSAY said, in the absence of his hon. and gallant Friend (Major Walker), he would beg to ask the Secretary of State for War, Whether

Lord Lawrence

it is the case that several Regiments of the Queen's Army, now stationed in India are still armed with the old muzzle-loading rifle, and that the drafts of their Regiments, having previously been instructed in the use of the breech-loading rifle in England, are compelled, on joining in India, to learn the use of that discarded weapon?

MR. CARDWELL: Sir, some of the regiments stationed in India are still armed with muzzle-loaders, and the rule laid down by the India Office is, that recruits going to those regiments go without weapons, and receive the weapons of their regiments on their arrival in India. Regiments going out to India carry with them the Snider rifle.

THE MONA BRICK AND TILE COMPANY.

### QUESTION.

MR. BRODRICK said, he wished to ask the Financial Secretary to the Treasury, Why the Commissioners of Woods and Forests refuse to compensate the Mona Brick and Tile Company on the ground of the Company having had granted them by the Commissioners a lease of the mineral substances on certain estates in the Isle of Man, for the sole purpose, as the Commissioners were informed and knew, of working the clay which the Agent of the Woods and Forests in the Isle of Man assured them was included in the term "mineral substances," and granted them under the said lease; it having since been decided in the Manx Courts of Law that the Commissioners are not the proprietors of clay in the Isle of Man, and had no right to grant the lease in question?

MR. STANSFELD, in reply, said, it was true that an injunction had been granted in the Isle of Man Courts prohibiting the working of the clay on the ground the company had leased. But the Commissioners, after obtaining an opinion, and before the grant of the lease, had informed the company that they would not guarantee them the use of the ground for that purpose, and that, if they proceeded, they must do so at their own risk. Further, the Commissioners had since taken advice, and they were advised that the company had neither a moral nor an equitable claim against them.



## BRAZIL—CREW OF THE “MARY HAMILTON.”—QUESTION.

MR. FINNIE said, he wished to ask the Under Secretary of State for Foreign Affairs, If any information has been received at the Foreign Office from Rio de Janeiro, confirmatory of the report that the crew of the “Mary Hamilton” have been acquitted; and, if he will lay upon the Table any Papers in relation to this subject which may have passed between the Brazilian Government and the Foreign Office?

MR. OTWAY said, in answering the Question of the hon. Gentleman, he would at the same time answer a similar Question given Notice of by the hon. Member for Greenock (Mr. Grieve). Information had been received at the Foreign Office confirmatory of the report that the crew of the *Mary Hamilton* had been acquitted on their second trial, and he had no objection to lay on the Table the Papers which had passed between Her Majesty’s Government and the authorities in Brazil. In reply to the Question of the hon. Member for Greenock, whether, after a detention in prison of nearly 18 months by the Brazilian authorities, the British Government would endeavour to obtain for those men, who had thus been declared innocent, adequate compensation, he had to say that the Government had been informed that the proceedings in the Brazilian Courts had been entirely in conformity with Brazilian law; but the long detention of these men was a matter which had attracted the attention and sympathy of Her Majesty’s Government, and representations, merely of a friendly character, would be made, recommending their case to the favourable consideration of the Brazilian Government.

EXPORT OF COAL TO BELLIGERENTS.  
QUESTION.

MR. GOURLEY said, he would beg to ask the First Lord of the Treasury, If the export of English Coal in British or other neutral Vessels by British Subjects to either France or Prussia will be a violation of Her Majesty’s Proclamation against the export of articles contraband of war; and, to what Prize Courts exporters of Steam Coal, and Owners of Ships carrying the same, will

be amenable when trading to non-blockaded ports?

THE ATTORNEY GENERAL said, he had been requested by the Prime Minister to answer this Question, and what he had to say was this—Her Majesty’s Government had not undertaken to prohibit the export of coal to the ports of France or Prussia. Under certain circumstances coal would be considered as contraband of war; but the Government found it was impossible, as previous Governments also had, to define beforehand the circumstances under which coal would or would not be contraband. Those circumstances must be left to be defined by the tribunals before which the vessels were carried. He might further say, that in every case the tribunal would be the tribunal of the country into which the captured ship was carried, whether she was seeking to enter a blockaded or a non-blockaded port.

MR. GOURLEY said, he wished to ask if the Government were prepared to prevent ships from carrying contraband of war?

THE ATTORNEY GENERAL said, the Government was not prepared to seize any ships, unless there was clear proof that they were store ships in the service of either of the belligerents.

MR. HUSSEY VIVIAN said, he wished to ask, whether the Government were aware of the views of Foreign Governments upon this subject?

THE ATTORNEY GENERAL said, he did not know whether the House would think that was a question he ought to answer. He thought it might be assumed that Foreign Governments would take that view of the case which was in consonance with the principles of International Law. But it was not convenient to enter into discussions of this kind. If they received any definite information they would take care to communicate it to the House.

## FRANCE AND PRUSSIA—THE FRONTIER.

## QUESTION.

MR. BOURKE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there have been any representations or despatches received at the Foreign Office, since the year 1866, from our Ministers or Ambassadors abroad, upon the subject of an under-

standing between the French and Prussian Governments with respect to alterations of the French frontier?

MR. OTWAY said, in reply, that the Question of the hon. Gentleman was substantially the same as one put by the hon. Member for Cricklade (Mr. Cadogan), which he would answer at the same time. Some correspondence had taken place on the subject to which the Questions referred, and it was in the Foreign Office. He was informed, however, that it was of a confidential character. Those Papers would be examined, and on a future day he would be able to inform the House if they were of a nature that could be made public.

#### ARMY—TROOPS AT WIMBLEDON.

##### QUESTION.

MAJOR DICKSON said, he would beg to ask the Secretary of State for War, The number of regiments, troops, and batteries which were sent from Aldershot to Wimbledon to take part in the late Review, and the strength of each regiment, troop, and battery respectively; what is the estimated war establishment of a battalion of infantry, a regiment of cavalry including men and horses, and of troops and batteries of artillery including men, horses, guns, and waggons; and, whether, with a view of preparing the country for any sudden emergency, it is the intention of Her Majesty's Government to place any portion of the Army upon a war footing; and, if so, to what extent this can be done with trained or partially trained soldiers?

MR. CARDWELL: Sir, I hold in my hand a Return of the force which went to Wimbledon, numbering, in the whole, 2,905 officers and men. The detail is entirely at the hon. and gallant Member's service if he wishes to see it. There is no fixed war establishment; but I have a Return of the establishment of each arm at the time of the Crimean War, which is equally at his service. The hon. and gallant Member will not expect me on this occasion to make a statement of the views of Her Majesty's Government; but at the present moment 21,900 Reserve men, of whom 20,000 are Militia Reserve men, are under engagement to serve with the Army at home or abroad; and there are also between 19,000 and 20,000 of the second-class Army Reserve trained soldiers, but liable only to serve at home.

*Mr. Bourke*

#### TEMPORARY CLERKS—CIVIL SERVICE. QUESTION.

VISCOUNT ENFIELD said, he wished to ask the Secretary to the Treasury, Whether the claims of the Temporary or Supernumerary Clerks in the Civil Service will be taken into favourable consideration for permanent employment, as vacancies may occur in their respective departments, after the 31st day of August next, as an Order in Council provides that after that date all appointments to the Civil Service shall be made after open competition?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Question of the noble Lord refers to a class of clerks called temporary clerks, who are employed in the public Offices but have no sort of claim to be placed on the establishment; and the noble Lord asks whether, in the change which is about to be made in regard to competition, anything will be done for these temporary clerks—that is to say, whether the principle of competition will be set aside, in order to give those clerks who have now no claim to be put on the establishment a claim to supersede successful competitors. My answer must be in the negative.

#### FRENCH OR PRUSSIAN MERCHANT SHIPS.—QUESTION.

ADMIRAL ERSKINE said, he wished to ask Mr. Attorney General, Whether a French or Prussian merchant ship, now in a British Port, if purchased *bonâ fide* by a British subject, and duly registered, would be exempt from liability to capture, as being indisputably British property?

THE ATTORNEY GENERAL: Sir, I must remind the hon. and gallant Admiral that I am not entitled to give an authoritative opinion on this Question. I may also remark that these queries are points of International Law which it is obvious cannot decide the questions involved, and may lead to embarrassing discussions with Foreign Powers. According to my understanding of the decisions of the British Courts, such a vessel would be held exempt from capture, and I believe that is also the American doctrine. But I am bound also to state that the French have maintained a different doctrine. The French have maintained that if the subject of a



belligerent State possesses a vessel liable to capture he cannot get rid of it by sale; and if a Prussian ship is captured the tribunal to decide the question would be a French one. Transactions of this kind are always looked on with a certain amount of suspicion by Prize Courts, which are very careful to inquire whether the transactions are altogether *bond fide* or only colourable; and if they come to the conclusion that the transactions are colourable, notwithstanding the apparent sale, the original owner retaining some interest, or having made some bargain to have the vessel restored after the cessation of hostilities—if the sale was not out and out, it is liable to capture.

#### OVER-REGULATION PRICE IN THE ARMY.—QUESTION.

SIR CHARLES WINGFIELD said, he would beg to ask the Secretary of State for War, When he will lay the Report of the Royal Commission on over-regulation prices in the Army upon the Table of the House?

MR. CARDWELL replied that the Return had been laid on the Table.

#### EXPORTATION OF HORSES. QUESTION.

COLONEL BERESFORD said, he would beg to ask the Secretary of State for War, If it be intended to put any restriction on the exportation of horses from the United Kingdom to France?

MR. CARDWELL: No, Sir; the Government have no intention of putting any restriction on the exportation of horses from the United Kingdom.

#### PROCLAMATION OF NEUTRALITY. QUESTION.

MR. VERNON HARCOURT said, he would beg to ask the First Lord of the Treasury, Why in the Proclamation of Neutrality issued by Her Majesty on July 19th, whilst the provisions of the Foreign Enlistment Act forbidding the equipment of vessels for the service of either belligerent are set forth, no special mention is made of the sections of the same Act which prohibit the enlistment of the subjects of the Crown in the naval and military service of the belligerent powers; whether there is any and what reason for departing in that respect from the prece-

dent of the Proclamation of May 13th 1861, in which the provisions against enlistment, as well as those against the equipment of vessels, were set forth at length, and the act of enlistment specifically prohibited; and, whether Her Majesty's Government will not deem it expedient to make it clear to the subjects of the Queen, as was done in the Proclamation of 1861, that it is intended to enforce the law against the enlistment of men in as full a manner as against the equipment of vessels? He also wished to know when the amended Foreign Enlistment Act was likely to be introduced?

THE ATTORNEY GENERAL: Sir, the Foreign Enlistment Bill has been introduced, and I hope it will be read a second time to-morrow. As to the other Questions of my hon. and learned Friend, I have to say that the Proclamation of the 19th of July last is precisely the same, with some necessary but trifling alterations, with that issued by the Government of Lord Derby in 1859, and with that issued in 1866—in general terms enforcing neutrality on all the Queen's subjects. It is not to be supposed likely that France and Prussia will enlist British subjects in any considerable numbers. In the Proclamation of 1861, on the breaking out of the American War, it was certainly apprehended that British subjects might extensively enlist, and therefore it was that an addition was made to the ordinary form of Proclamation; but when the new Foreign Enlistment Act becomes law, as I trust it will before long, it will deserve consideration whether another form of Proclamation may not be issued.

#### OBJECTIONABLE PUBLICATIONS. QUESTION.

MR. BENTINCK said, he wished to ask the Secretary of State for the Home Department, Whether his attention has been directed to publications relating to objectionable subjects which are now being delivered by post and otherwise at the houses of Members of Parliament; and, whether any means exist of subjecting the authors and publishers of these publications to criminal proceedings?

MR. BRUCE: Sir, the publications mentioned in the Question of my hon. Friend have not been officially brought

under the notice of the Home Office. In common with other Members of Parliament, I have received copies of these pamphlets, which are not only mischievous from the exaggerated statements they contain, but in the highest degree offensive from the nature of the details on which they enlarge. In my opinion the publication, sale, or distribution of such works is an offence under the 20 & 21 *Vict.*, c. 81, notwithstanding that their object may not be immoral. In the case of "*The Queen v. Hicklin*," which was that of an equally objectionable publication, *The Confessional Unmasked*, the Court held that, notwithstanding the object of the defendant was not to injure morals, but to attack the religion and practice of the Roman Catholic Church, this did not justify his act nor prevent it from being a misdemeanour—

"Proper to be prosecuted, as the inevitable effect of the publication must be to injure morality; and, although he might have another object in view, he must be taken to have intended what was the natural consequence of his act, and had, therefore, been guilty of an offence within the meaning of the statute."

I hope the warning conveyed by this decision may have the effect of checking the further distribution of these offensive works, more especially at a season of the year when there are no fires to which they may be conveniently and immediately consigned.

#### THE TRUCK SYSTEM.—QUESTION.

SIR DAVID WEDDERBURN said, he would beg to ask the Secretary of State for the Home Department, Whether he will state to the House the method in which he proposes to institute an inquiry into the working of the Truck Act?

MR. BRUCE: Sir, on the Motion of the hon. Member for Sheffield (Mr. Mundella), I stated that the inquiry he asked into the offences against the Truck Act would be conducted by the Home Office in the manner it was done in 1854 by Mr. Tremenheere in England and Wales, and Mr. Hill Burton in Scotland. Subsequent information has, however, satisfied me that the inquiry must, to be efficacious, be conducted on the present occasion in a much more stringent manner. The evidence of offences against the Truck Act will have to be obtained from the masters who have committed

the offences, from the foremen who have been instruments in the hands of the masters, from the shopkeepers who have shared the profits of the illegal traffic, and from the men who are dependent on the same masters for future employment. Production and examination of the books, and in many cases examination of the premises, will also be necessary in order that a right opinion may be formed of the legality or illegality of the payments. Under these circumstances, it has been thought expedient to apply to Parliament for the necessary powers, and notice of a Bill will be given this evening.

#### INDIA—THE CIVIL SERVICE COMMISSIONERS.—QUESTION.

MR. PERCY WYNDHAM said, he wished to ask the Under Secretary of State for India, How many Asiatics had been disqualified for a time or altogether, after having passed a successful examination, owing to their being over age; if he would give their names, and state in how many cases an appeal had been made to reverse the disqualification, and in what instances it had been reversed; and, whether any Asiatics had been disqualified on the score of age previous to their presenting themselves for examination, they having given in their names as intending to compete?

MR. GRANT DUFF: Sir, the best information I can give on this subject is contained in a memorandum that has been forwarded to me from the Civil Service Commission, which I will read to the House—

"Last year (1869) two Asiatics—Mr. Banerjee and Mr. Thakur—who had been successful, were afterwards found to have entered their respective Universities in India at such dates, and under such regulations respecting age, as to make them *prima facie* ineligible for the Civil Service. They were called upon to explain, and their explanation not being deemed satisfactory, they were pronounced disqualified. One of them, Mr. Banerjee, applied for a *mandamus* to compel the Civil Service Commissioners to hear further evidence. The Commissioners heard further evidence, both in his case and in the other, and made inquiries of their own; and in both cases they saw reason, after very careful consideration, to reverse the disqualification. No Asiatics have been excluded from competition on the score of age after having given in their names as intending to compete."

#### STRENGTH OF THE ARMY.—QUESTION.

CAPTAIN TALBOT said, he would beg to ask the Secretary of State for War, If it is true that the Army is at the

*Mr. Bruce*



present time between 3,000 and 4,000 men below the strength provided for in this year's Army Estimates?

MR. CARDWELL: Sir, it is not true that the Army is at the present time between 3,000 and 4,000 men below the strength provided for in this year's Army Estimates. Until recently there has been an excess in the actual force over that voted in the Estimates. On the 1st of July the Indian Depôts, which are sometimes above and sometimes below their establishment, were in a deficiency of 1,057, which is being supplied as the depôts are being completed for the approaching reliefs. The hon. and gallant Member has probably been misled by the fact that the Army in India, which is not provided for in the Estimates, is at present below its establishment. Excluding India and the Indian Depôts, on the 1st of July the rank and file was as closely as possible at the establishment.

#### BRITISH SUBJECTS IN GERMANY.

##### QUESTION.

MR. H. B. SHERIDAN said, he wished to ask the Under Secretary of State for Foreign Affairs, If he is aware whether English subjects now in Germany can return to England by any of the ordinary routes, namely, via Hamburg or Cologne; and, if so, is there any understanding or announcement as to a limit of time; or, whether it is true that passenger boats are no longer permitted to run between Hamburg and the English ports; and, whether, in the event of the usual modes of return to England being stopped, the Government proposes to afford any and what special facilities to the large number of English subjects now in Germany, more particularly the children of English parents at school there to return to England?

MR. OTWAY said, in reply, that he was sorry to say, on behalf of the Government, that he could give no information upon the subject of the hon. Member's Question. The movements of English subjects in Germany desiring to return to this country must necessarily depend upon the military movements in that country and on the movements of the belligerents. Of these movements the Government had no information, nor were they likely to receive any. As to whether passenger boats between Ham-

burg and the English ports were no longer to be permitted to run, the Government had no information; but if stopped, the stoppage of those boats would doubtless also necessarily depend upon the military movements. With regard to the affording of special facilities to British subjects wishing to return to this country, he was not aware of any which the Government could afford except sending passports; and the rule with regard to sending passports abroad had been relaxed in consequence of the events which were occurring upon the Continent. Passports were now sent out for British subjects in Germany upon the application of persons of respectability in this country. But information as to the routes which might be taken by persons desiring to return to England would be far better obtained in the country where those persons were at present residing than here in England.

##### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### MERCANTILE MARINE.—RESOLUTION.

MR. PLIMSOLL, in rising to call the attention of the House to the state of a portion of the Mercantile Marine of this Country, and to certain practices connected therewith; and to move a Resolution thereon, observed that shipowners, in consequence of the competition to which they were subjected, were driven into practices which many of them regretted, and from which they would be glad to have the opportunity of retreating. Parliament had extended its protection to the workers in mines and factories, and the safety of the people was one of its first considerations. He thought Parliament might interfere in the case which he was now considering, by providing that vessels should not be loaded beyond their maximum capacity, and that there should be a compulsory survey of unclassed ships. The colliers trading on the East Coast were notoriously unfit to carry human lives, yet such a thing as breaking up these ships had not been known for many years. Vessels like these could only be insured in the regular offices at premiums that would be totally prohibitory, and the

result was that the owners mutually insured them in clubs, which, however, had broken down in large numbers within the last few years, after making very heavy calls upon the subscribers. The general results of the neglect of Parliament to extend to the Mercantile Navy such regulations for its care as were extended over other walks of industry had been most deplorable. The right hon. Member for Droitwich (Sir John Pakington) had referred on a previous occasion to one ship of 800 tons which was loaded with 1,600 tons of iron and despatched for the Baltic in the month of November; but, of course, that vessel being so dreadfully overladen was unable to get away from the coast, and she went down in sight of land, all her crew being saved. In another case a shipowner had lost seven sea-going ships within a very brief period, as the result of his inveterate habit of overloading; his name was such that at Lloyd's he could not get his ships insured; and the underwriters always refused to sign open policies to cover risks on vessels sailing from the port in which this particular shipowner did business, unless they had a written guarantee that none of his ships were included. The shipowner in question was a Member of that House. He also knew the case of a vessel called the *Faith*, which was so overloaded that one of Lloyd's surveyors said she was unfit to go to sea in that state; but more cargo was put on board of her even after that, and soon after she sailed from London she sank off the Isle of Wight. Indeed, the fact was that most of the calamities at sea, which were generally considered to be inevitable might be altogether prevented. Vessels carrying between this and the North, which spent the greater part of their time at sea, did so with perfect immunity from loss, the losses not exceeding 2 per cent in the year. Of course losses arising from fogs were, to a certain extent, inevitable; but they were not more frequent than accidents arising from fogs on railways. The worst case that had come under his notice was that of a firm on the Clyde, who, out of 21 ocean-going steamers, had lost no less than 11 since 1867, five of them being so totally lost that the only record against their names was that they had never been heard of more. The owners in that case kept their vessels constantly under weigh, not even

allowing them to stop for necessary repairs, and never allowing an authorized surveyor to go on board to see their condition. The experience of the Cunard and Peninsular and Oriental lines was sufficient to prove that ocean travelling might be made quite as safe or even safer than travelling by railway. The objections to any system of Governmental supervision were easily disposed of. It was said that a Government survey would put an end to the individual responsibility of shipowners; but he could not admit this, as that which had never existed could not be destroyed. The responsibility would begin to be felt when shipowners saw Parliament determined to extend to our fellow-subjects at sea some portion of the care that had been so beneficially extended to those on land. Then it was said that an army of surveyors would be required to survey the unclassified ships; but seeing that there were only 27,635 ships registered in British ports, that 12,656 of them were surveyed by Lloyd's surveyors, that 6,182 of the remainder had been built within the last five years, and that from the residue all the ships belonging to the Cunard, the Peninsular and Oriental, the Inman, and General Steam Navigation Companies' lines must be deducted, a force of 19 surveyors would be quite sufficient to do all the work required. It was also said that to undertake the survey would entail upon the country a cost of £500,000 a-year; but so far from that being an accurate statement of the case, he would venture to commend the scheme to the Chancellor of the Exchequer as one by means of which, and without making the charges for surveys any higher than they are at present, a handsome yearly surplus might be handed over to the Treasury. Lloyd's Registry had sometimes a yearly surplus of £14,000, and in one year it was £18,000; the result being that having no company of proprietors among whom to divide the money, they found themselves in the embarrassing position of possessing a vast accumulated fund with which they did not know what to do. Another objection to such a proposal was that it would be an interference with the private rights of shipowners; but that argument was worth nothing, seeing that Parliament had interfered with the private rights of all other persons whenever



it was necessary to do so in the interest of life and property. As long ago as 1866 a memorial was sent from the Newcastle Chamber of Commerce, praying the Board of Trade to establish a maximum load line, and a compulsory survey of our Mercantile Marine, and in the prayer of that memorial the Chambers of Commerce of Dundee, Hartlepool, Bristol, Cardiff, and several other of our leading seaports concurred. In the case of the Mercantile Navy, it was proved by the evidence of the surveyor of the Board of Trade, given on the inquiry into the fate of the *Sea Queen*, that at present there was no legislative power whatever to stop a ship from going to sea, no matter what her condition might be. That was a state of things which required to be altered, and it ought to be provided by the Legislature that every ship which needed repair should be repaired, and that no ship should go to sea overladen. And what would be the result? That half of the lives lost every winter would be saved. No fewer than 500 lives per annum would be saved. If the Government would only bring in a short Bill this Session the whole thing might be done by October. If they refused, then these men must die. The hon. Gentleman concluded by moving his Resolution.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the statement in the Report of the Board of Trade, that more than half of the losses at sea for the six years ending in 1868 are owing to overladen and unseaworthy ships of the collier class, requires immediate legislation, with a view to the diminution of such losses,"—(*Mr. Plimsoll*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. T. E. SMITH said, that the great thing which the hon. Gentleman who had just spoken, wanted to prove was that there was no intelligent and reasonable supervision over ships, and yet he stated that at least half of our ships were classed at Lloyd's. For their own part he did not see how that House could recognize the action of an irresponsible Committee sitting at Cornhill. But independent of the ships that were classed at Lloyd's, there were three or four large associations which inspected

ships. If the hon. Member for Liverpool (Mr. Graves) were in his place, he could tell the House that a great portion of the vessels which sailed from Liverpool were not classed at Lloyd's because the people of that port had a classification of their own. Why should they assume that Lloyd's was the only good classification of ships, and pass over all the other societies in the country? The hon. Member for Derby said the underwriters exercised no supervision over the character of the ships, and yet a few minutes afterwards he told them it was generally reported that there was a ship-owner who could not get his ships insured. That showed that the underwriters did exercise a close supervision over the character both of the owners and also of the ships; and if a particular owner was found to lose a great proportion of his ships within a certain period he experienced a difficulty in insuring them. No persons were more qualified to give an opinion in regard to the ships on the East Coast than the sailors who worked in them, and yet they were told that the reason a great many of the men preferred these ships was because they had a greater number of opportunities of seeing their wives and families; whereas, if the statement of the hon. Member for Derby was accurate, it would lead them to infer that their object in joining this service of ships was that they might lose their lives and never see their wives and families again. No doubt some insurance clubs had failed, but so had many life insurance offices and mercantile associations, and he believed nothing would be found in these insurance statistics to justify entering upon the suggested course of legislation. What the hon. Member desired could only be done partially, and would have the undesirable result of leading people to suppose that ships in which no confidence could be placed were seaworthy, while an army of Inspectors would have to be employed. He therefore hoped that the hon. Gentleman the Secretary of the Board of Trade would not entertain the proposal.

MR. SAMUDA said, he thought that the statement of the hon. Member for Derby (Mr. Plimsoll) had established the existence of an amount of loss of life beyond what we, as a mercantile nation, should expect, and preceding

discussions had shown that much of this calamity was quite preventible. But the proposals of the hon. Member, if adopted, would, in all probability, reduce the careful portion of the Mercantile Marine to a lower level without raising those whom it was his object to reach. In his (Mr. Samuda's) opinion the great cure for this evil would be found in one of the proposals of the Government when seeking to legislate on this subject—namely, to make it a misdemeanour on the part of the shipowner to send a ship to sea in an inefficient and unseaworthy state, and the further proposal to allow sailors to refuse to proceed to sea in unseaworthy ships, when discovered to be so, would also be a valuable security to the public. The attempt to establish a fixed load line would be open to many serious objections. It would be well to make it the interest of the owner to fit and equip his vessel in a proper manner, by insisting that he should be to a considerable extent his own insurer—say to the amount of one-third or one-quarter of the risk covered by each policy. The consequence of which would be that the loss of the ship, instead of being an immediate cash gain, would be a loss of a sufficiently serious character to induce carefulness on the part of the owner.

MR. SHAW LEFEVRE said, he deeply sympathized with the motives which actuated the hon. Member for Derby (Mr. Plimsoll), and he fully admitted the importance of the subject he had so ably brought forward. That subject had already been brought before the House—once by the right hon. Baronet the Member for Droitwich (Sir John Pakington), and, secondly, on the second reading of the Merchant Shipping Code Bill. On both occasions he addressed the House upon this subject, and for that reason it would be the less necessary for him to go into it at any great length at present. He regretted that he had been unable to proceed with the Merchant Shipping Code Bill, owing to the exigency of questions of greater magnitude. The time devoted to that measure, however, had not, he trusted, been altogether lost, as it had received much consideration from an informal Committee of Members interested in the question, which had met at the Board of Trade, and was in such a forward state that he believed the House would be able to deal with the question at a

very early period next Session. The extension to all vessels not classed at Lloyd's of the triennial inspection to which vessels so classed are subjected would be, to a great extent, useless for meeting the evils referred to. This triennial inspection of 12,000 vessels cost Lloyd's, he believed, about £40,000 a year; and if all vessels were to be surveyed at the commencement of each voyage an army of surveyors would be required, and the cost of inspection would be enormous. A further proposal was to establish an official load line. That was a subject worthy of great consideration, though it was one of extreme difficulty, for he had never met any persons who agreed as to what the line should be. The Bill for amending the Merchant Shipping Code proceeded in the direction of increasing the responsibility of shipowners, and making it a criminal offence to send a ship to sea in an unseaworthy condition; and he believed that this proposal would go far to meet the evils complained of. Allusion had been made to the case of colliers on the East Coast of England; but he was glad to know that natural causes were coming into operation which would be far more operative than any legislation. Steamers were being substituted for sailing vessels to such an extent that while in 1852 there were only 17 voyages of steam colliers from the Tyne to the Thames, last year there were 2,440 voyages of steamers, and they might therefore look forward to the time when the sailing collier would be extinct. He believed the case of the *Sea Queen* would have been met by the Amendments which the Government had suggested, and that they would do something to prevent disasters; but as it was out of the question that the Government should this Session deal with the subject in the limited way now suggested, he trusted the Motion would not be pressed.

MR. STEVENSON said, he regretted the withdrawal of the Merchant Shipping Code Bill, which would have done as much as Government could do to remedy existing evils. The proposition to make it a misdemeanour to send a ship to sea in an unseaworthy state, and to give a sailor liberty to call for a public survey without being treated as a deserter or a coward, were very valuable; and, understanding that the Resolution merely asked the House to affirm the necessity for early



legislation, he thought it would be wise to adopt it.

MR. GRAVES, while sympathizing with the motives which induced the hon. Member for Derby (Mr. Plimsoll) to bring this question before the House, could not help expressing the opinion that the hon. Member had treated it in a somewhat exaggerated tone. Seeing that only 40 casualties had occurred in the case of vessels of 600 tons and upwards, he thought he was justified in asking them to exonerate the great merchant-shipping class of this country. There was, however, a class of ship-owners on which blame did undoubtedly rest, and overloading did undoubtedly exist to some extent. The hon. Member had proposed that there should be a survey of every vessel leaving our ports which was not enrolled in the records of a private institution. He (Mr. Graves) agreed with the Secretary of the Board of Trade, that if they were to have a survey there should be no exception with regard to vessels connected in any way with a private institution. The unfairness of doing so would at once become patent by remembering that there was another institution which stood just as high—the Bureau Veritas—whose surveys were entitled to as much respect, and which had 17,000 classed on its books, as against 9,000 in Lloyd's. Yet the hon. Member would place a burden on those vessels which he would not place on these. France was the only country that he was aware of where the system of Government surveys existed, and their working in that country was, from his own personal investigation, very far from satisfactory. The opinion of the French people themselves was that these surveys were altogether useless, and that they threw upon the Government a very serious responsibility, which was by no means balanced by corresponding public advantages. The Deputy for Nantz had, in fact, in the month of February last, from his place in the Corps Legislatif, characterized these surveys as altogether useless and vexatious. That these Government surveys did not prevent the loss of lives and ships belonging to France was proved by statistics. In the year 1869 the number of English vessels that were lost was 1,172, being 4.40 per cent of the whole; German, 201, being 4.50 per cent; Norwegian, 105, being 3 per cent;

and Swedish, 25, being 2.50 per cent. Government surveys prevailed in none of these countries; whereas the number of French vessels lost during the same year was no less than 279, or 5.30 per cent of the whole. He thought from these facts he was justified in saying that the Government survey in France had not proved a protection either to life or property. Looking at the vast commerce of this country, the enormous number of ships entering and leaving our ports daily, looking at the great competition that prevailed by which steam vessels were made to compete with railways by leaving port one afternoon and arriving the next, bearing all this in mind, any Government survey of a reliable character would in his opinion be totally impossible. With respect again to the load line, he quite admitted that if all vessels were built upon the same plan and principle there would be no difficulty in fixing such a test. But as it was, there were so many difficulties in the way that he was bound to say that the attainment of such an object was impracticable. Were a load-line system adopted owners would be led to build a peculiar kind of ship, which would be very buoyant but would be much more dangerous than any that were at present constructed. While thinking, however, that a load line was impossible, he thought something like a maximum line might beneficially be adopted. The whole matter, however, was well worthy of consideration, and he should not regret to see it referred to a Select Committee in the next Session. He believed that the mode in which the Secretary of the Board of Trade was proceeding for remedying the evils complained of—namely, by throwing the responsibility on the owners, and not shifting it on to the shoulders of the Government—was, perhaps, the best.

MR. GOURLEY said, that vessels were not so much lost by overloading as by improper stowage, which was not to be charged upon the owners or captains, because they were obliged to place the stowage in the hands of a class of men who made it their special calling. Steamships had not been lost by overloading, and the loss of the *City of Boston*, which was under Government supervision, arose from causes in connection with the steam machinery, and not from overloading. The statement

that had been made about the overloading of ships was incorrect, for of those which were alleged to have been lost from that cause three were driven on shore, one was capsized, and nothing had been heard of two others. When vessels left port no one could tell the dangers with which the seamen would have to contend, and, looking to the number of ships which formed the Mercantile Marine of this country, he submitted that the loss of life in them was comparatively very small. He urged the House to be very cautious in legislating for the Mercantile Marine, because, in his opinion, the shipping interests of the country already suffered from too much legislation.

Mr. NORWOOD said, he thought the House was not competent at this time to give an opinion on such an important subject; for to men who were unacquainted with seafaring matters, it was impossible to understand the great number of considerations that had to be taken into account. He admitted the importance of the subject, and thought there ought to be an investigation. If a Motion were made early next Session for the appointment of a Select Committee he would support it, for he believed that the inquiry would be acceptable to the seaports, and it would show that the matter was not so bad as had been represented by the hon. Member for Derby (Mr. Plimsoll).

Mr. ALDERMAN LUSK, while fully sympathizing with the Motion, could not help feeling that many of the statements by which it had been supported were exaggerated, and some of them quite untrue.

Amendment, by leave, *withdrawn*.

#### THE NEW LAW COURTS.—RESOLUTION.

Mr. G. B. GREGORY, in rising to call the attention of the House to the building of the New Law Courts, and to move — “That in the opinion of this House, such building should be proceeded with without further delay,” said, he should not trouble the House at any length with this subject, for he hoped that the First Commissioner was substantially of the same opinion as himself, that he would accept the Motion, and was prepared, on behalf of the Government, to say that they would place on the Votes an Estimate for proceeding

with the works. If that were so, it would be unnecessary for him to proceed with the Motion.

Mr. ALDERMAN W. LAWRENCE said, it was of the utmost importance, now that the Government had fully resolved upon the site and were about to proceed to the erection of the buildings, that steps should be taken to have proper approaches made to the new Courts. A large amount of extra traffic would be concentrated round the new edifice, and it was the duty of the Government to provide proper accesses for the accommodation of that traffic. This had not yet been done; but he hoped they would soon be in possession of block plans of the Courts, which would enable them clearly to see where the new approaches ought to be formed. He urged that the metropolis had been unfairly treated in the matter of taxation, and care should be taken that further burdens should not be imposed upon it.

Mr. AYRTON said, the hon. Member for Sussex (Mr. G. B. Gregory) rightly assumed that he was as anxious as he could be to see the building of the New Courts of Law proceeded with at the earliest possible period. It was the intention of the Government to lay upon the Table of the House, either that evening or the next day, an Estimate for taking the preliminary steps, and what could be done between this and the meeting of Parliament next year. He thought, therefore, the House would be of opinion that it was not expedient to anticipate the discussion that would arise when that Estimate was considered in Committee. With regard to the remarks of the hon. Member for the City of London (Mr. Alderman Lawrence), he could only say that he had only undertaken to give effect to the Acts of Parliament already passed for the construction of the new Courts, and not to go beyond their provisions. The questions raised by the hon. Member were foreign to the legislation which had already taken place; but the hon. Gentleman and his constituents would set a good example by taking measures to remove the structure which public opinion did not sanction, either on account of its beauty or antiquity, and which was a serious obstruction between Fleet Street and the Strand. He hoped to be able to proceed with the Estimate on Monday, and a block plan was being printed, of

*Mr. Gourley*



which numerous copies would be found at the Vote Office to-morrow.

Amendment, by leave, *withdrawn*.

# METROPOLIS—SOUTHWARK PARK.

## RESOLUTION.

MR. LOCKE, in rising to call the attention of the House to the intended appropriation of a large portion of Southwark Park for building purposes by the Metropolitan Board of Works, and to move—

“That, in the opinion of the House, the whole of the land purchased under the Act of 1864 (The Southwark Park Act), should be preserved as a Park for the use and recreation of the Public,”

said, that it was originally intended to purchase 130 acres for the Park, but difficulties arising, only 63 acres were obtained; and he was sure the House would not think that space too large for the recreation of the population of Southwark, amounting to nearly 200,000 persons, of Deptford, and the other neighbouring localities. The Metropolitan Board of Works were now following the course which they proposed to the Open Spaces Committee, of which he (Mr. Locke) had the honour to be Chairman. Sir John Thwaites, in his evidence before that Committee, proposed that the Metropolitan Board should be empowered to take charge of the open spaces around the metropolis, and he suggested that they should purchase them, and recoup themselves for the necessary outlay by appropriating large portions of the land to building purposes. The Report proposed by Mr. Doulton embodying these views was rejected by the Committee, and his, the Chairman's Report, adopted. The Report directed that the whole of the land should in each case be preserved for the recreation of the people. Now, in the case of Southwark Park the Board had determined to take no less than 16 acres and sell it for the purpose of having it built upon. Additional land would be required for a road to approach the houses, and thus no less than 26 acres would be taken from the public and applied to the purpose of recouping the Metropolitan Board to some extent for their outlay in making the Park. He ought to state that the funds employed for the purchase of the land for the formation of the Park had been furnished by rates levied on the whole of the metropolis. Even if the Metro-

politan Board had a right to do this, that House might fairly be called on to express their opinion against it; and with that view he now brought forward the subject. He well remembered standing beside Sir John Thwaites upon a platform on the day that he publicly declared this Park open. The whole 63 acres had ever since been used and enjoyed by the public, and he contended that Sir John Thwaites had now no right to withdraw 16 acres of the area so declared to be open and available for public use and enjoyment. Open spaces were necessary not only for the recreation, but for the health of the metropolis; but they would both be endangered unless the House endeavoured to check the Board. There was an extremely strong feeling in the borough of Southwark against the course which the Metropolitan Board were taking, and this had been evinced by several large and influential meetings. He hoped the House would not be influenced by any technical objection to his Motion; but would express the opinion which was embodied in it. The hon. Member concluded by moving his Resolution.

## Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the whole of the land purchased under the Act of 1864 (The Southwark Park Act), should be preserved as a Park for the use and recreation of the Public,”—*(Mr. Locke,)*

—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

MR. BRUCE said, that if the question was merely as to the extent of land which it was desirable to retain he did not think that 63, or even 163, acres would be too much for the recreation of so large a body of persons as dwelt in Southwark and upon the south side of the river; but the real fact was that, in the negotiations which took place for acquirement of the land, it was foreseen that unless some precautions were taken the acquirement of such a space would immediately raise the value of the property all round the Park, and it was in order to prevent private persons obtaining that advantage that the power was taken by the Board of Works to take more land than was actually to be de-

voted to the Park, in order that the ratepayers, at whose cost the Park was made, might reap any advantage that would result to the surrounding property from the maintenance of this open space. By the course they proposed taking the Metropolitan Board of Works hoped to return to the ratepayers a sum of nearly £36,000, which might possibly be used hereafter for the provision of another park in another part of the metropolis. He asked the House to consider whether it would not be beneath their dignity to pass a Resolution which would be a mere *brutum fulmen*, for they could not by a mere Resolution override an Act of Parliament. The proper course for his hon. and learned Friend to take would be to give notice of his intention to bring in a Bill to repeal the Act which conferred on the Board of Works the discretionary power they were now using; or if the proceedings of the Board could be proved to be *ultra vires*, it would be easy to obtain an injunction to prevent them proceeding in the course on which they had entered. He hoped his hon. and learned Friend would be content with the expression of opinion which had been elicited, an expression which would, no doubt, cause the Board to reconsider its decision, and if it should have the effect of producing an alteration in the direction sought by his hon. and learned Friend, he, for one, should feel gratified.

MR. LOCKE, in accepting the suggestion of his right hon. Friend and withdrawing his Amendment, hoped that, after what had been said, the Government would support the Bill of which he would give Notice for next Session.

Amendment, by leave, *withdrawn*.

#### SPAIN—CASE OF THE "TORNADO."

##### RESOLUTION.

MR. BENTINCK, in rising to move—

"That, in the opinion of this House, it is not competent for a Minister to allege or read in debate in defence of his policy any Document which is not upon the Table, and which he is not prepared to communicate to the House; and that it is incumbent upon Her Majesty's Government to lay forthwith upon the Table Copy of the entire deposition or statement of facts made in writing by one Holmes, erroneously represented by the Under Secretary of State for Foreign Affairs to have been in command of the British Ship 'Tornado,'"

*Mr. Bruce*

said, the matter he had to lay before the House involved a question of Privilege, for it was clear that, unless a distinct rule was laid down as to which documents, after having been used in debate, should be produced and which should be kept back by the Minister, a serious injury would be inflicted upon the rights of independent Members, which had been encroached on too much already by the present Government. The fact was that two months ago he called attention to the case of the *Tornado*, with a view to show that it had been illegally seized, and was answered by his hon. Friend the Under Secretary for Foreign Affairs and the Attorney General. His hon. Friend (Mr. Otway) said that this vessel had been "steeped in crime from her very cradle," and the Attorney General said that beyond doubt the vessel was a privateer, and both the Under Secretary and the Attorney General rested their case upon the statement made by Captain Holmes of the *Cyclone*. He (Mr. Bentinck) afterwards addressed a Question to the Prime Minister, who admitted that the allegation of the Under Secretary was founded on a statement made by Captain Holmes. This document, which the Minister declined to lay on the Table of the House, proved to be the embodiment in writing of a statement on the subject which his hon. Friend had refused to accept verbally. Thus, his hon. Friend had first presented to the House a spurious article, and then refused a sufficient opportunity for its contradiction — a proceeding which might do very well in Spain, but was opposed to the principles of law and equity as understood in this country, and opposed, moreover, to the practice of Parliament. Sir Erskine May, in his text-book on this subject, laid it down that the proceedings of that House ought to be conducted similarly to the proceedings in a Court of Law, and that no person had a right to produce evidence, without giving to those affected by it a full opportunity of examining and, if possible, disproving it. The precedents on this subject were also very numerous. In 1857, in the debate on the China War, Lord Halifax, then Sir Charles Wood, stated a certain position, and said that he had in his possession a letter from Sir Michael Seymour which bore out his view. Mr. Roebuck asked if Sir Charles Wood had any objection



to produce the letter. Sir Charles Wood replied that it was a private letter, but that he was willing to bring it down to the House and show it to any hon. Gentleman. Upon that the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) said it was monstrous that a Minister should rise in his place and make a statement upon an important matter, founded on a document which had not been produced, and he went on to say that neither a public nor a private letter ought to have been used that could not be laid on the Table. That was a principle which had ever been accepted in that House, and which he hoped would ever be their guide in such matters. The next case was in 1862, when the right hon. Baronet the Member for Tamworth (Sir Robert Peel), then Chief Secretary for Ireland, stated that the Longford election was a mockery, and in proof of the assertion referred to certain documents in his possession. The Irish Members demanded that the documents should be laid on the Table, and Lord Palmerston expressed himself thus—

"It may, no doubt, be the true doctrine that when a Minister of the Crown reads a document in this House and founds upon it an argument or an assertion that document, if called for, ought to be produced."—[3 *Hansard*, clxvi. 2129.]

The last instance he would refer to occurred two years afterwards, when, in the Leeds bankruptcy case, the hon. and learned Member for Richmond (Sir Roundell Palmer) read his answer from a written statement which he had before him, and Mr. Ferrand moved that the Paper be laid upon the Table. The Speaker, being appealed to, said that public despatches, documents, and papers relating to public affairs, when read or quoted by a Minister, ought to be laid on the Table. But there was an additional reason why this document should be laid upon the Table, because, though the Spanish Government had at first agreed to give £1,500 by way of compensation to the unfortunate crew of the *Tornado*, it appeared that the money had not been paid, and, if so, he wished to know why there had not been payment. A rumour had reached him, which he hoped was not true, that the Spanish Government had declined payment because they had read the speech of his hon. Friend the Under Secretary, and because it was clear from the statement

made that this was a Chilian vessel. He hoped his hon. Friend would press the case upon the Spanish Government, and he would, therefore, add to his Motion the words, "or any further paper in the matter of the *Tornado*."

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not competent for a Minister to allege or read in debate in defence of his policy any Document which is not upon the Table, and which he is not prepared to communicate to the House; and that it is incumbent upon Her Majesty's Government to lay forthwith upon the Table, Copy of the entire deposition or statement of facts made in writing by one Holmes, erroneously represented by the Under Secretary of State for Foreign Affairs to have been in command of the British Ship '*Tornado*,' and also further Papers relating to that Ship,"—(*Mr. Bentinck*.)

—instead thereof.

MR. OTWAY fully recognized the constancy which the hon. Member had shown with regard to this case. The hon. Gentleman had now for some time been advocating the claims of the captain and crew of the *Tornado*; but whether his advocacy had been advantageous to those people was open to doubt, especially if it was true that the Spanish Government had now determined to withhold the £1,500 which they had previously offered as compensation. It was not his intention in any way to dispute the general principle for which the hon. Gentleman had contended, fortified as it was by the high authority of the right hon. Gentleman in the Chair and Lord Palmerston. It would have been more satisfactory, however, if the hon. Gentleman had read the whole of Lord Palmerston's opinion, for he would, if he was not mistaken, have found towards the end something to qualify the passage which he had quoted. But that rule did not apply in the present case, for here no despatch was used, but a verbal statement which had been made to him within the precincts of that House, which statement for greater accuracy he himself took down in writing, and then he asked the person who made it whether it was correct, and in proof that it was so to put his name to it. His hon. Friend admitted that he had seen the document, if it could be so called, indeed, there was no desire whatever to withhold it from any Gentleman who wished to see it. The hon. Member for Penrhyn (Mr.

Eastwick) had also seen it. What was more he was ready to place it at the disposal of any hon. Member in that House. Now, though he was bound to state that it was not convenient to lay on the Table a memorandum of conversation passing within the limits of the House, this he would say—he was prepared to verify all the statements made in that memorandum; and though he would not be fulfilling his duty if he were to lay it on the Table, he was quite willing to make the hon. Gentleman a present of the only really important part of it—namely, the private instructions given to the commander of the *Tornado* and the other ship how they were to proceed so as to avoid capture. The photographs were open to the inspection of his hon. Friend. It was only the verbal statement of the individual reduced to writing by himself (Mr. Otway), or certified as correct by Captain Holmes. Under these circumstances he must decline to produce the Paper, because to do so would be to depart from Parliamentary usage in cases of that kind.

MR. DISRAËLI said, he did not rise to speak on the question of the *Tornado*, of which he had heard in his time a great deal, and on which he had formed an opinion which it was not necessary he should state at present; but he must say that the point brought forward by his hon. Friend (Mr. Bentinck) was well worthy of the attention of the House, and he was not himself quite satisfied with the observations made by the Under Secretary of State. One of the great securities for fair discussion in that House was that a Minister should not be permitted to refer to documents, public or private, if he was not prepared to communicate them to the House. He did not say there might not be special reasons why the particular document now in question should not be placed in the usual category in that respect; but at the same time it was not the interest of the House to encourage any laxity in regard to the rule on that subject. It was one of the guarantees for sufficient discussion that a debate should not be allowed to be unwarrantably influenced by speakers appealing, in order to sustain their views, to documents which were not in the possession of the House. That was a principle of which the House should be most jealous. It might be all very well for the Under Secretary of

State to invite them to come down to Downing Street, and inspect the documents; but every Member must see that this was an important question, the importance of which was not diminished because the special instance which had now come before the House was not one of great dimensions. The principle was the same. When a document was appealed to and the Minister did not place it on the Table, it would be most inconvenient for hon. Members to call at Downing Street to examine whether the document referred to was a valid one or not; and they ought to be careful how they waived the Privileges of the House. The question was, whether their right to the production of documents quoted by persons in authority to influence debate was a right which ought to be maintained or not. He recommended the House to maintain it as being most important, and not to permit the comparative insignificance of the transactions connected with a case like that of the *Tornado* to blind them to what, if allowed to pass unnoticed, might be converted into an injurious precedent. He thought that the House could not be too strict in maintaining this rule, and though it was not desirable that his hon. Friend who brought forward the Motion should formally take the opinion of the House upon it, yet he thought it ought not to be disregarded, and that they ought to express in a manner that was not to be mistaken their resolution to adhere to their rules on the subject.

MR. GLADSTONE said, he thought it would be a pity if it should go forth to the world that there existed any serious difference of opinion with respect to the Rule of the House on that subject, as might perhaps be inferred from what has just fallen from the right hon. Gentleman. The Rule was intended to prevent undue advantage being taken by official Members in order to influence the judgment of the House. Ministers might often be supposed to have an advantage in discussion through their official knowledge, and it was quite right that every proper control should be placed on their use of that advantage. In the present instance, however, the issue was extremely narrow. The particular case before them was one that could occur only very rarely, and he thought his hon. Friend (Mr. Otway) was right in the view he took of it,

*Mr. Otway*



which did not in the least degree derogate from the obligation to produce official documents. The question here was whether that was an official document at all. It was the substance of a conversation within the limits of the House, and reduced to writing for greater certainty; and it might impart an almost ridiculous air to the Rule if words so taken down were to be treated as coming within the definition of an official document. Although that very narrow issue might, however, give rise to some difference of opinion, still it was hardly a matter on which it could be thought desirable to take the formal judgment of the House. The Rule of the House would be made more safe by avoiding any attempt to stretch it. They should keep within the definition which the Speaker had given of it on a former occasion, and which made it apply to public despatches, documents, and papers relating to public affairs which were read and quoted by Ministers. This Paper was much more analogous to the report of a conversation given by a Gentleman in that House than to an official document. But, be that as it might, it was the desire of the Government on every occasion to observe the general Rules of the House with fidelity and strictness.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered in Committee.*

(In the Committee.)

(1.) £238,000, to complete the sum for the County and Borough Police, Great Britain.

(2.) £315,627, to complete the sum for Government Prisons, England, and Transportation and Convict Establishments, Colonies.

(3.) £203,880, to complete the sum for County Prisons and Reformatories, Great Britain.

(4.) £26,943, to complete the sum for Broadmoor Criminal Lunatic Asylum.

(5.) £12,790, to complete the sum for Miscellaneous Legal Charges.

(6.) £48,533, to complete the sum for Criminal Proceedings in Scotland.

(7.) £37,630, to complete the sum for Courts of Law and Justice, Scotland.

(8.) £18,001, to complete the sum for the Register House, Edinburgh.

(9.) £17,075, to complete the sum for Prisons, Scotland.

(10.) £52,403, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.

(11.) £30,294, to complete the sum for the Court of Chancery, Ireland.

(12.) £19,477, to complete the sum for the Common Law Courts, Ireland.

(13.) £5,790, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.

(14.) £8,997, to complete the sum for the Landed Estates Court, Ireland.

MR. WHITWELL said, that as this Court existed only for the benefit of the buyers and sellers of estates it ought to be maintained by fees, and not at the expense of the Exchequer. There were fees paid to the amount of £4,291; but the charge on the Votes was £12,907.

THE CHANCELLOR OF THE EXCHEQUER said, considerable fees were received from this Court, which were paid into the Exchequer. At the same time, there was much apparent justice in what the hon. Gentleman had said, and he would look into the matter.

COLONEL FRENCH said, the operation of the Encumbered Estates Court Act had been most injurious to Ireland not only for the losses it had occasioned to creditors, but also in consequence of the land being compulsorily sold under it for so much less than its real value. £8,000,000 of Irish capital was confiscated—a larger sum than the boasted assistance in the potato famine years.

MR. M'LAREN pointed out that it was not a matter in which the public of Ireland was concerned, but only the sellers and purchasers of land.

*Vote agreed to.*

(15.) £7,421, to complete the sum for the Probate Court, Ireland.

(16.) £1,340, to complete the sum for the Admiralty Court Registry, Ireland.

(17.) £10,430, to complete the sum for the Registry of Deeds, Ireland.

(18.) £2,066, to complete the sum for the Registry of Judgments, Ireland.

(19.) Motion made, and Question proposed,

"That a sum, not exceeding £65,900, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Commissioners of Police, of the Police Courts, and of the Metropolitan Police, Dublin."

MR. ALDERMAN LUSK objected to the whole of the police charge for Ireland being saddled on the Consolidated Fund. He particularly objected to the police charge for a rich city like Dublin being paid out of the Imperial taxation. It ought to be compelled to make a contribution like the large towns of England, if only as a matter of policy, for under the present arrangement the people felt that they had nothing to do with the police, whom they looked upon as a foreign body. Dublin was a rich town, and ought not to escape from paying police charges. He moved that the whole Vote of £100,000 be reduced by £25,000, so as to make the people of Dublin pay one-fourth of the charge.

Motion made, and Question proposed,

"That a sum, not exceeding £40,900, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the Salaries and Expenses of the Commissioners of Police, of the Police Courts, and of the Metropolitan Police, Dublin."—(Mr. Lusk.)

MR. STANSFELD called the hon. Member's attention to a foot-note in the Estimates, which showed that the City of Dublin contributed not merely £25,000 for the police, but £41,000, that amount being raised from the hackney carriage licence and from an eightpenny rate on the property of the town.

COLONEL FRENCH supposed that the only object the hon. Gentleman (Mr. Alderman Lusk) could have in view was to get rid of the police force of Dublin entirely. The hon. Member was a great economical authority; but he had never known him to succeed in reducing a Vote by a single penny.

MR. CANDLISH pointed out that £23,000 of the Vote was spent in pensions, many of the persons concerned receiving pensions to the full amount of the salaries they had had. It was a matter for serious consideration whether a quarter of the whole amount ought to be paid for purely unproductive labour.

MR. McLAREN distinguished between the police force of Ireland generally, which was a semi-military body defended on special grounds, and that for Dublin, which was one of the richest cities in the kingdom; and there was no more reason for relieving it of the expenses of its police than there was for relieving London or Manchester. As to the amount paid for pensions he looked upon it as a scandalous misappropriation of public money, which the Legislature ought to stop.

MR. STANSFELD said, he had no reason to doubt that the pensions had been awarded in each case on sufficient grounds; but there used to be a much higher rate of pensions under the Act 10 & 11 *Vict.*, and that still operated in keeping up the total amount.

Motion, by leave, *withdrawn*.

Vote agreed to.

(20.) £643,007, to complete the sum for the Constabulary, Ireland.

MR. WHITWELL pointed out that the sum of £110,632 paid for pensions and gratuities was printed in the Estimates in a lump sum, without any details of the names of the persons receiving the money. He thought those details ought to be given, and he also hoped that the Government would set on foot in Ireland the plan observed in this country, of the police making contributions from their pay towards their own superannuation fund.

MR. CANDLISH said, he wished to know how it was that £47,000 was paid to the magistrates in Ireland out of the Consolidated Fund, while in England all stipendiary magistrates were paid out of local taxation?

MR. CHICHESTER FORTESCUE said, the resident stipendiary magistrates in Ireland were to a great extent officers of the Executive Government, and of the greatest value to the Government in Ireland. Indeed, he did not know what could be done without them. No doubt the system in Ireland was a system of greater centralization than existed here, which, on abstract grounds, was to be deplored; but the circumstances of the country made it necessary.

MR. CANDLISH said, that after this friends in Ireland could not say they were taxed in the same way as the people of Great Britain.



COLONEL FRENCH observed, that if the English magistrates were superseded to the same extent as Irish country gentlemen by stipendiary magistrates, he believed they would retire in disgust from the unpaid duties which they now discharged with so much advantage to the country. The policy the Government had pursued had offended the local magistracy, and he would advise them to adopt a totally different system—to trust the people and the magistrates, which they never had done, and they might thus hope to establish peace and tranquillity.

MR. ALDERMAN LUSK said, he could not help thinking that the Irish Constabulary force would be rendered more popular in Ireland if the people were allowed to take a greater interest in it, and to bear their fair share of its cost. The present system of centralization was not desirable.

MR. CARTER said, he wished to have a detailed account of some of the items.

MR. RYLANDS called attention to the rate at which the superannuation had been increased, and expressed his opinion that it was worthy of consideration whether a superannuation fund might not be established out of contributions subscribed by the police themselves. The details of their pensions ought also to be given in the Estimate.

MR. MAGUIRE said, the notion of making a force, which was supposed to be unpopular in Ireland, popular by the imposition of a financial blister on the people, was worthy of the ingenuity of a Scotchman. The House might, if it thought proper, adopt the suggestion as to superannuation money, but it must first increase the pay of the force; so that, practically, nothing would be gained. The Irish Constabulary were a most meritorious body of men; he had seen them on occasions of great excitement; he knew their wonderful good temper and forbearance, and the great services which they were enabled to render to the Queen and to the country. He warned the House against touching one penny of their pay or their pensions.

MR. STANSFELD said, to adopt the suggestion which had been made would be to reduce the pay of the men, and nothing would be gained by increasing the pay in order to establish a superannuation fund out of enforced contributions. Further particulars would be

given if necessary; but it was not desirable to overcrowd the Estimates with the various items which made up small amounts.

*Vote agreed to.*

(21.) £32,960, to complete the sum for Government Prisons, &c., Ireland.

(22.) £28,211, to complete the sum for County and Borough Prisons, Ireland.

(23.) £3,610, to complete the sum for Dundrum Criminal Lunatic Asylum.

(24.) £1,630, to complete the sum for the Four Courts Marshalsea, Dublin.

(25.) £6,070, to complete the sum for Miscellaneous Legal Charges, Ireland.

(26.) £644,721, to complete the sum for Public Education, Great Britain.

MR. W. E. FORSTER said, this year the Education Estimate was £914,721, being a net increase over the sum voted last year of £74,010. This increase arose, he might say, almost entirely upon two items—the annual grants and the sum for the training Colleges. There was a small saving of £173 in the administration office in London, arising from the experiment which had been successfully tried of having boys as clerks. The cost of inspection had increased by £2,166, owing to the employment of three more inspectors. In the building grants there had been a decrease of £3,000, about £4,000 less than the Estimate of last year being spent. In Scotland there was an increase of £6,300, owing to the number of certificated masters having increased by 35, the certificated schoolmistresses by 45, and the pupil-teachers by 308. Scotland was still working on the old system, payment for results not having been yet introduced. As to the two great sources of increase to which he had alluded, in England and Wales there was an increase of £54,732 on the annual grants, which was owing to an increase in the number of scholars, a thing which no one would regret. Last year the average attendance of day scholars was estimated at 1,082,000. This year it was close upon 1,200,000, being an increase of 114,000. In evening scholars there was an increase of close upon 8,000, bringing the number up to nearly 80,000. The capitation grant was 1*d.* less than it was last year, when it was 9*s.* 11*d.* They had found that to be rather over what was required, and this year it was

proposed to make the grant 9s. 10d. Though they asked for 1d. less, the scholars were not earning less. An increase had been going on from year to year, but not quite so fast as had been expected. For the year ending the 31st of August, 1868, the sum actually paid was 9s. 4½d. per day scholar; for the year ending August, 1869, it was 9s. 7d.; and for this year they were, as he had said, asking 9s. 10d. There was a large increase in the sum for the training schools. Last year there had been none; but this year they found the training schools so much more vigorously in operation that they were asking for an increase of £14,000; and, considering the demand that there would be for teachers, he was not sorry to be obliged to ask it. There were 223 more male students in residence, and 104 more female students, which was the explanation of the increase in the item. Now, as to the results, or the value received for their money. Let them take England and Wales, leaving Scotland out of the account—though no one could suppose that Scotland would be without the Revised Code much longer. Indeed, the Government looked forward to the English Education Bill of this year being followed by a Scotch Education Bill next year. In the year ending August 31, 1869, the separate schools in England and Wales, assisted by the State, were 7,845, comprising 11,404 day departments, and 2,240 evening schools. These schools provided accommodation for 1,766,000 scholars. There were 1,570,000 scholars on the school books, and the average number in attendance was in day schools 1,063,000, and in evening schools 64,000. There were 11,752 certificated teachers, assisted by 12,357 pupil-teachers and 1,253 assistant-teachers. The cost of the schools was defrayed by a Government Grant, amounting in round numbers to £465,000, school fees £456,000, and endowments and subscriptions £489,000. Thus, in a population estimated at about 22,000,000, there were being taught in the schools at an expense to the State of £465,000, to the parents of £456,000, aided by subscriptions amounting to £489,000, about 1,570,000 children, taking the number on the books, and 1,063,000, taking the average attendance, in 11,404 day schools and 2,240 evening schools, by rather more than 11,700 head teachers,

assisted by 1,230 assistant-teachers and 12,300 pupil-teachers. Of the total number of children on the register, about 425,000 were under six years of age. Deducting the infants, there were 1,145,000 children on the books. There were presented for individual examination 696,440 in day schools, and 63,174 in night schools. The number who passed without failure in reading, writing, and arithmetic, was 470,000 in the day schools, and 43,000 in the night schools, or a percentage of 67·5 in the day schools, and 70 in the night schools. The estimated increase of the population in England and Wales in the course of last year was 1 per cent, and he was glad to be able to state that this year, as well as last, the increase of scholars was much greater than the increase of population. Speaking generally, the percentage of increase was greater this year than in the previous year. The population had increased about 1 per cent, the number of children on the register had increased 8 per cent this year as against 7 per cent last year. The attendance this year showed an increase of 8 3-5ths per cent against 7 1-3rd last year. The numbers presented for examination had increased 9 per cent, as against 8 per cent last year, and the number who passed without failure had increased one-half per cent. One or two facts now with regard to the present state of the training schools. He had said they were asking for an increase of £14,000 on account of these schools—namely, £87,000 this year as compared with £73,000 last year. He had frequently been asked what prospect they had of supplying the probably large demand that would be made for trained teachers. The training schools would hold 3,261 students—namely, 2,945 in England, and 766 in Scotland. There were now in residence 2,600, or an increase of 327 over last year—namely, 223 male and 104 female students. That number would enable the Education Department to turn out at Christmas, 1870, 1,122 teachers trained for two years; 906 for England and 216 for Scotland; and at Christmas, 1871, 1,478 teachers—namely, 1,191 for England and 287 for Scotland. Supposing the training schools were full they would be able to turn out 1,630 trained teachers—namely, 1,247 for England and 383 for Scotland. But, as he had said, they were really pre-



pared to turn out next Christmas 1,122 and the following Christmas 1,478 trained teachers. Last August they had 1,474 certificated teachers. They calculated the waste—if he might use that expression in such a case—which had to be supplied at 7 per cent—a large and liberal calculation. It had been a question in the office whether they ought to put it at 5 or at 7 per cent; but 7 per cent would be an outside figure. That required them to turn out 980 teachers per annum to meet present wants. Consequently unless they expected a considerably increased demand they would be overstocking the market at the present moment. With regard to the increase in the number of pupil-teachers, he would give the number of pupil-teachers who had been admitted in each year, at Christmas, since 1861, which would show the effect of the Revised Code, and also the subsequent recovery. In 1861 the number admitted was 3,092; in 1862 it was 2,934. Then the Revised Code came into operation, and the number fell in 1863 to 2,315. In 1864 it reached the minimum number of 1,895, after which it began to recover, being, in 1865, 2,355; in 1866 it was 2,720; in 1867—when the Minute of the right hon. Member for Tyrone (Mr. Corry) produced its good results—the number rose to 3,446; in 1868 it was 3,882; and in 1869 he was glad to say it reached 4,031. There were 2,033 more pupil-teachers on December 31, 1869, than on December 31, 1868, the number in 1868 being 13,668, and in 1868 being 15,701. Having given these dry details, he did not know that he had any other remark to offer to the Committee; but if any questions were put to him by hon. Members he would be happy to answer them.

MR. WHITWELL said, he hoped the Government would assist the teachers in a movement they were desirous of originating to make some provision for their old age by means of a mutual insurance association.

DR. LYON PLAYFAIR said, he was desirous of taking that opportunity of obtaining some explanation on a subject in regard to which the people of Scotland took a considerable interest. So far as the Imperial expenditure on education went, the Vice President of the Council was responsible to that House for the state of education in Scotland. Last

year they had a Bill for the extension of education in that country, brought in by the former Lord Advocate, whose enlightened labours in education they all knew; but though it passed through that House after much labour, it did not become law. During the Recess the people of Scotland used their best exertions to have a Bill introduced in that Session, and he believed every burgh in the kingdom memorialized the Government on the subject, and the country districts were not backward in their representations of the absolute necessity for such a measure. But the great English Bill stood in their way, and they found that an English and Scotch Bill were two omnibuses that could not go through Temple Bar at the same time; so that though their Scotch omnibus had a start by 12 months, it still remained far behind. It required no prophet to foretell that Scotland would expect their educational omnibus to be put on the road early next year; but they wanted to know who was to be its official driver? The House had expressed during the course of their recent debates an unmistakeable desire that the Education Department which administered the Votes, should be made responsible, and sharply responsible, for the education of the people. It was quite possible then, that the Scotch people might find that if they expended their energies for the edification of the Lord Advocate during the Recess, that it was not him, but the Vice President of the Council to whom their efforts should have been directed. His own views were expressed in the remarks which he made to the House when the Education Bill went into Committee. He then urged the necessity of having a Minister of Education, who should be responsible to them in all matters relating to the education of the people. Practically they had, in the person of his right hon. Friend who filled the Office of Vice President of the Council, a Minister well capable of fulfilling the duties and responsibilities of such an Office. When the Scotch Education Bill was to be introduced into that House next Session—a Bill which would in effect largely increase the Votes on Education—were they to look to that responsible administrator of the expenditure for its preparation, or were they to look to the Lord Advocate? His right hon. and learned Friend who filled

the latter Office was a man of distinguished ability. He did not profess to be an educationalist; but if he undertook the preparation of the Bill, he would bring to it that ability which would enable him to master the situation, and to prepare a Bill suitable to the wants of the country. There were some advantages, doubtless, in his being entrusted with it. The people of Scotland desired their education to be administered with reference to their habits and the peculiar character of their schools. These, they feared, might be lost sight of in the uniform system of the Council Office, and they apprehended that English ideas would soon swamp Scotch ideas of education. No doubt there was a danger of that; but as no Scotch Bill could be carried through the House that did not obviate those just fears, he had more faith in intrusting the preparation and responsibility to the Minister who had to see to its working, rather than to one who might devise but who had no power to execute. He confessed that, from the ease with which Scotch Bills were shunted into sidings, he would have far greater hope of seeing an Education Bill carried through Parliament when entrusted to an Imperial Minister who was in the Cabinet, rather than when confided to a Scotch Minister who was not in the Cabinet. In any case, it was important that during the Recess the Scotch people should know whether the Lord Advocate was to continue his responsibility for the preparation of an education measure, or whether the Government, yielding to the wishes expressed in that House, would concentrate the responsibility on that Department which was entrusted with the administration of the Votes relating to public education. There was much *vis inertiae* to be overcome not on the part of the Scotch people who were the motive power, but in the Government who were to be moved; and they did not wish to waste their energy by giving it a wrong direction.

MR. W. H. SMITH congratulated the Vice President of the Council on his able statement, and also on the increased attendance at the schools shown by the statistics he had quoted. At the same time he thought that 7 per cent was scarcely a sufficient allowance for the "waste" of certificated teachers, as there was found to be a tendency among

the teachers to retire after a certain time. On the new educational measure coming into operation, a larger supply of teachers would be required, unless they relaxed the condition as to having certificated teachers—a course which he should regret to see them have to adopt. He hoped they would be enabled to look forward to having an adequate staff of properly-trained teachers who had obtained certificates.

MR. BRUCE said, he was not surprised that the hon. Member for the Edinburgh and St. Andrew's Universities (Dr. Lyon Playfair) had broached the subject of Scotch education and of Scotch legislation, and he wished to state that he greatly admired the patience which the Scotch people had shown during the present Session on many points, for it must be admitted that they had been scurvily treated. However, in that respect they were not alone, for there were large masses of people who had looked forward to legislation other than that which had occupied the attention of Parliament this Session. There had been on the part of Scotch people a natural and proper jealousy of any confusion of the two systems of England and Scotland, which were so essentially different, and he could understand their desire to see a measure of Scotch education introduced by Scotchmen; but, at the same time, the Education Minister was the dispenser of the Parliamentary Grant for Scotland as well as for England; and the Bill which this House had passed for Scotland in 1869 admitted the principles on which the Scotch system was based, and contained nothing to discourage that mixed education which was the distinction of Scotland. He was unable to say what course would be pursued in the matter, as the Lord Advocate was not in London, and it would be necessary to consult him before deciding on any line of policy. He thought the right hon. and learned Gentleman would have his hands full next Session; but his right hon. Friend the Vice President of the Council would have little legislative work, unless he assisted the Home Department in passing certain measures in which the Privy Council was nearly as much interested as the Home Office.

SIR HARRY VERNEY expressed a hope that drilling would form part of the school treatment.

*Dr. Lyon Playfair*



DR. BREWER said, he hoped that some arrangement would be made for a retiring allowance, by superannuation or otherwise, for decayed schoolmasters, who were particularly subject to disease of the eyes, and were quite unable to obtain remunerative employment after their forced retirement from that cause.

MR. McLAREN said, he thought there would not be so much difference of opinion in Scotland with regard to this question of education, as there would be with some others. He had consulted many well-qualified persons to judge, and they did not object to payment by results; but they considered that payment by results, according to the English system, was far too low a standard as applicable to Scotch schools. A very large proportion of the population in Scotland, although as poor as those in England, desired to carry education to a higher pitch than the same class did in England. The educated schoolmasters of Scotland complained that payment by results according to the English rule, if applied to Scotland, would lead to this,—that all the best scholars would be cut off from producing anything by this rule of results to their schoolmasters. The effect would be to reduce the education given in the schools in Scotland to the three R's, and not to carry it to a higher degree as it was at present. What they complained of was, that the Privy Council had not hitherto been willing to recognize a higher-class education as existing, and while they rewarded boys of inferior attainments, they gave nothing at all for those whose attainments were very much greater. If they applied the rule of payment by results in Scotland, he hoped this difference would be kept in mind; for it never would and never ought to satisfy the people of Scotland, unless there was a power of carrying education to a higher pitch than in the lower-class schools in England. The people of Scotland would expect two things—First, that no denominational schools should be erected after the passing of this Act; and, secondly, that no additional encouragement should be held out to existing denominational schools. If those two points were kept in view, they would greatly facilitate the passing of an educational measure for Scotland.

MR. SCLATER - BOOTH inquired whether the increase of £54,673 was the equivalent to be given for the present

arrangement, and whether there would be any additional Inspectors appointed; and whether a Supplementary Estimate for the increased expenditure would be introduced this Session?

MR. VERNON HARCOURT said, he had designedly abstained from proposing a Motion of which he had given Notice, to the effect that it was unfair that the management of voluntary schools should be vested in those who contributed the smallest part of the cost, inasmuch as the larger proportion was defrayed by the public taxation and school-pence not because he abandoned the principle, but because he thought this was not the most convenient opportunity for raising a definite issue. In future years he believed that this Vote would attract more than any other the attention of Parliament. It was, however, his firm conviction that under the provisions of the Bill very few rate-aided schools would come into existence except in the large towns. He believed that in consequence of the arrangements of the Bill no rate would ever be raised in the rural districts; but that, on the other hand, voluntary schools would be promoted and would greatly flourish under the donative given to them by the Vice President of the Council. Parliament would, therefore, naturally examine the principle upon which those voluntary schools were established, and it would find that this donative granted by the State was given to persons who contributed very little, and, in some cases, nothing to the schools. Consequently, when the principle of the grant was examined into it would be condemned by the public opinion of this country. His right hon. Friend the Vice President of the Council had, using, he would not say clap-trap expressions, but attractive phraseology, stated that his great object was to give the control and management of the schools to the parents; but the fact was that in voluntary schools the parents would have no voice whatever in the management, and when that circumstance came to be thoroughly understood, it would be fatal to the present system of voluntary schools. Parliament was called on to vote large sums of money to be placed in the hands of a limited number of persons, who were the patrons of voluntary schools, and who would have the control of those schools, and that system was to be extended and aggravated. Now, if his right

hon. Friend had left matters as they stood no question need have been raised on this point, for hon. Members sitting on the Benches near him would not then have been disposed to interfere; but his right hon. Friend in departing from existing arrangements had called in question the principle on which the grants to voluntary schools rested. When the question came to be submitted to the crucible of public discussion, it would be found that the present system violated the settled principles which had always been upheld by the Liberal party.

MR. MACFIE said, there were two things in regard to education in Scotland which required attention—that was, the connection of the schoolmaster with the Universities, which gave facilities which were unknown in England of controlling any man who deviated from the high moral standard which it was so important to set before the young; the other was, the maintenance of high education in schools. In his own neighbourhood the Nonconformist school was chiefly attended by the children of the members of the Church of England, because of the very superior class of education given there.

SIR CHARLES ADDERLEY said, that he entirely disagreed from the hon. and learned Gentleman (Mr. Vernon Harcourt), that the effect of this Vote would be to place money in the hands of persons who had contributed little or nothing to the cause of education. His own experience on this subject was very different from that of the hon. and learned Gentleman. It was clear that the sole object of the hon. and learned Gentleman during those education debates had been to crush, if possible, the efforts of those who had been the first volunteers and pioneers in education and to whom we were almost wholly indebted for what had been done. His views were extremely narrow, unfounded, and not justified even by his jealousy of what the Church had done in the cause of education, and his prophecies were little likely to be fulfilled.

MR. W. E. FORSTER said, that he must decline to follow the hon. and learned Gentleman (Mr. Vernon Harcourt) through his speech, or to consent to taking part in what threatened to become a sort of fourth reading of the Bill. He thought that it was hardly becoming in the hon. and learned Gentleman to talk of clap-trap having been used in

the debate. For his own part, he was quite prepared to submit to the opinion of the country on that subject, and he was also quite content to let the future prove whether the prophetic declarations of the hon. and learned Gentleman were well or ill-founded. If they should turn out to be based upon error, he hoped that the hon. and learned Gentleman would be ready to admit hereafter that his views were liable to error. The hon. and learned Gentleman was of opinion that no rate-supported schools would be established under the Bill. [MR. VERNON HARCOURT: Except in large towns.] Well, that was a considerable exception. But he was willing that the argument of the hon. and learned Gentleman should be judged of by results even as regarded the agricultural districts. Again, the annual cost to the State in respect of the schools assisted by the Government was £465,000, while £488,913 was contributed by voluntary subscriptions. It was, therefore, quite a mistake to suppose that the men who took part in the management of these schools contributed little to their support. He joined the hon. and learned Gentleman in the hope that this Vote would receive a large share of attention next year. The Code would be revised, the Vote would be larger, and the new conditions which would be framed for spending the money would, he hoped, be carefully examined by the House. The Education Department would spend more, but they intended that the money should be earned. If they did their duty, he believed they might give an immense stimulus to education, and the country would be well content, and not complain that the money had been given in partnership with those who gave it out of their own pockets voluntarily rather than raise it from the rates. The country would, no doubt, be discontented with the voluntary schools if the education were bad, and in that case such schools would fail; but they would be paid by results, and if they gave educational value for their money the country would be well satisfied with them. In reference to the question which had been asked respecting pensions for the schoolmasters, he was loth at present to make any remark, because it concerned the interests of so many hard-working and highly-deserving men, and he was afraid of raising hopes which he might not be



able to fulfil. But he promised that the Government would examine the question with the greatest possible attention, and with the earnest desire to arrive at a satisfactory solution. From the fact that the Department would have somewhat more money at its command, they might hope that in the case of these deserving men—who now looked forward to old age with so much fear—they might discover some means of enabling them to lay by against the time when their active powers would fail them. He had been asked about training Colleges, and his reply was, that he did not rely entirely upon the present training schools for the supply of masters. If the Bill became law and answered his expectations, there would, doubtless, be a great demand for masters, and it would be his duty to consider how that demand should be met, without relaxing the conditions which were necessary for the due performance of educational work. He should be glad to see the boys drilled, but it was necessary first to consider the glaring want of elementary education, and to supply that before anything else was supplied. He had looked narrowly into the demands that were likely to be made owing to the passing of the Bill, and he did not think it necessary to apply for a Supplementary Estimate this year, though it might be necessary to do so at the beginning of the next Session—not for additional schools, which could not be got to work even in London, but there would be some expenses connected with obtaining the Returns. It was impossible to tell what additional inspection would be necessary.

*Vote agreed to.*

(27.) £164,836, to complete the sum for the Department of Science and Art.

MR. MACFIE complained that Scotland had only 24 science and art schools, while there were 10 times that number in England and 93 in Ireland. He also complained that the grant to the navigation school at Leith had been withdrawn.

MR. W. E. FORSTER said, he regretted that there were not more schools of science in Scotland. There were very few a short time ago in Yorkshire; but this want the people of that county were now supplying. The science schools for the last three years were in number 300,516, and 810; and the students in-

structed last year were 21,956 higher in number than in the year previous. With regard to art, the number of students had also considerably increased.

*Vote agreed to.*

(28.) £61,265, to complete the sum for the British Museum.

MR. SPENCER WALPOLE said, there were few points that required elucidation from him; but there were one or two particulars which he thought he ought to mention. The expenditure of the present year and the past could not be compared, because the structural expenses had been transferred to the Public Buildings. The internal arrangements, however, those which related to the cases, and ventilation, and warming, were still charged to the Museum. One of the special expenses of the year was connected with the purchase of the Marc Antonio Collection at a recent sale, which he thought would be advantageous to the country. Some years ago a discussion arose as to the Museum being open at night. The Trustees were anxious to do all they could in that direction consistently with the safety of the building and its contents, and they had tried the experiment of opening the Museum from 6 to 8 o'clock in the summer on Saturdays and Mondays, with every prospect of its turning out a complete success. By that means, not only those who were admitted from 6 to 8 were enabled to view the admirable collection which the Museum contained, but those who went there at 4 or 5 had the opportunity afforded them of prolonging their visit. The general result was that 2,000 persons had been admitted from 6 to 8, and that the number was raised beyond that by those who had entered previously to 4,000 between those hours. The result would probably lead to the two days being extended to three days. On several occasions large bodies of men had visited the Museum, under the guidance of gentlemen quite competent to explain the various objects of interest, and they had derived great advantage from inspecting the collections in that manner.

MR. BENTINCK asked whether the grant in respect of the Marc Antonio Collection was an extra grant or not?

MR. SPENCER WALPOLE replied that it was, and that the amount would

not be deducted from the annual grant next year.

MR. SCLATER-BOOTH said, his right hon. Friend had not noticed the fact that the objects in the Museum were so numerous, and some of them so closely packed that it was quite impossible for them to be seen at all. He asked the Chancellor of the Exchequer when he proposed to move the Supplementary Estimate for the removal of the Natural History Collections?

THE CHANCELLOR OF THE EXCHEQUER: Next Monday.

MR. BERESFORD HOPE asked whether, if the Committee received the Supplementary Estimate to-morrow, and passed it on Monday, they would be precluded for ever from raising the question of the site of the Museum?

THE CHANCELLOR OF THE EXCHEQUER said, the very object of passing the Estimate was to determine the site of the building. If they took the money they must have a site. The object of the Estimate was to pledge the Committee to a site. The sum of money to be taken this year would be very small.

MR. BERESFORD HOPE complained that in that event there would be only some 48 hours left for considering so important a question.

THE CHANCELLOR OF THE EXCHEQUER said, to his certain knowledge the hon. Gentleman had been considering the question these seven years.

*Vote agreed to.*

(29.) £10,681, to complete the sum for the National Gallery.

(30.) £1,100, to complete the sum for the National Portrait Gallery.

(31.) Motion made, and Question proposed,

"That a sum, not exceeding £6,827, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the University of London."

MR. SINCLAIR AYTOUN said, he wished to bring before the Committee a matter which, though small in itself, was of great importance. In the Report of the Committee on Public Accounts for the year 1868-9, he found mention made of a small item which was taken from the Education Vote and applied to a purpose that was never contemplated by Parliament. It was a sum of £32 17s. 1d. ["Oh, oh!"] He

thought he could convince those hon. Gentlemen who cried "Oh, oh!" that it was not without good reason he challenged this application of the sum in question. The money was taken to pay the returning officer of the University of London for the expenses of the last election. In most other cases these expenses were paid by the candidates; but Parliament had made no provision for the expenses of the University election; and, therefore, the Lords of the Treasury had sanctioned this application of the public money. It was well known, however, that the First Lord of the Treasury did not directly interfere with the affairs of the Exchequer; that was left to the Chancellor of the Exchequer, and the sum related to the expenses of his own election. When the Secretary of the Treasury was called before the Committee of Public Accounts, he stated that Parliament would have sanctioned this application if its attention had been called to it. He thought the Secretary of the Treasury ought not to be allowed to decide what Parliament would do if its attention had been called to a subject; it was difficult enough sometimes to divine its intentions when it did consider a subject. The Auditor General, made a Report on this subject; he did not consider that there was any justification for the manner in which the money was applied. The Committee considered it to be covered by the Appropriation Act, but however that might be, he thought it right to call attention to the subject that they might have an assurance from the Government that money should not be expended on one purpose when it was voted for another and totally different purpose.

MR. LIDDELL said, he thought the hon. Gentleman had performed a public service in bringing the question before the Committee. It was a small matter, but the principle at stake was a large one. As a member of the Committee referred to, he might say that they were all of opinion it was their duty to report specially to Parliament on the subject, as he believed no Member of the House could have anticipated that a portion of the sum voted for the University of London would be applied to the election of a Member of Parliament. He was glad the question had been raised, because it was essential that the Committee should express its opinion as to the

*Mr. Spencer Walpole*



way in which the money voted by the House had been appropriated.

MR. JESSEL said, that every shilling given by Parliament to the University had been appropriated to the purposes for which it was voted, and the practice had been to return to the Treasury all the fees that were received. Out of £5,977 this year voted by Parliament, probably £5,000 would be returned to the Treasury. When it was proposed that the Senate of the University should reimburse the Vice Chancellor the sums which he had paid or was liable to pay (£32) as returning officer, they agreed to pay the amount, as there was no obligation on the part of the candidate to do so, and to that extent the Return to the Treasury was diminished. He asked the Committee to say whether the purpose for which the money was spent was not a proper one.

MR. SCLATER-BOOTH said, the argument of the hon. and learned Member might be very good in Westminster Hall, but it was not in accordance with the doctrines of the House, and it would go the length of saying that the whole income from fees might be appropriated by the Senate. The question was, whether the money ought to be paid by the Vice Chancellor—as the right hon. Gentleman had not volunteered to pay it—or should be treated as an incidental. The majority of the Committee on Public Accounts supported the view of the Treasury that it might be so treated; but they had not the least hesitation in saying that Parliament in its Vote did not intend to provide for such expenses.

MR. BERESFORD HOPE said, that at Cambridge he paid all the expenses, which were reduced to a minimum, and were chiefly personal. The Committee ought to know what the £32 was spent upon, because it might alter the complexion of the matter if the expenses were those of the University and not of the candidate.

MR. JESSEL said, the expenses were incurred at two elections, the greater part being for circulars issued by the Vice Chancellor, giving to the members of Convocation notice of the day of election.

MR. STANSFELD observed that the question under discussion involved one of those nice points which might be discussed for a long time without coming to any satisfactory conclusion. He would

state how the question came before him, and how he decided it. The expenses incurred were for summoning the members of the University with reference to the election. These expenses, amounting to £32, not only fell within the Appropriation Act, but came within the definition of incidental expenses. The Senate of the London University wrote to the Treasury to know whether they were to be allowed to charge these expenses against the Vote, or to leave the Vice Chancellor to pay them out of his own pocket. The liability of the Vice Chancellor to pay the expenses simply arose from the accident that he was the person to whom the orders for materials or services could be traced, and, therefore, he became legally responsible for the payment; but it was impossible to leave the Vice Chancellor to pay the money simply because he had authorized the expenditure. The opinion of the Committee on Public Accounts was that there was no technical incorrectness in debiting the charge to the University, and, in his opinion, he (Mr. Stansfeld) had no alternative but to put the payment on the University Vote. At the same time, he wished the Committee to understand, as he had stated before, that he was responsible for the way in which the same came before the House,

MR. BENTINCK said, there was one question which it was important to consider on such a matter—namely, whether or not the candidate should not have paid those charges. Were they different from any charges paid by candidates of other constituencies? He moved the reduction of the Vote by the sum of £32, on the ground that the sum ought to be paid by the candidate.

Motion made, and Question proposed,

“That a sum, not exceeding £6,795, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the University of London.”

MR. BERESFORD HOPE said, he could not vote for the Amendment after the explanation given by the Secretary for the Treasury. Those charges ought not to be paid by the Vice Chancellor, nor were similar charges paid by either himself or his Colleague in the representation of the University of Cambridge. It might be an awkward arrangement that the University of Lon-

don had no University chest but the Treasury; but, as such was the case, he thought those charges must be paid by the Treasury.

MR. STANSFELD remarked that, as the money in question had been paid out of last year's Vote, the hon. Member for Whitehaven (Mr. Bentinck) would not effect the object he had in view even if he carried his Amendment. The hon. Member asked him why those expenses had not been charged against the candidate. As Secretary to the Treasury he had taken legal advice on the matter, and he found that the candidate was not liable. The payment was one with which the candidate had nothing whatever to do.

MR. SCLATER-BOOTH said, the candidate might not be legally liable; but the question of his hon. Friend the Member for Whitehaven was, whether the charges in question were analogous to charges which in other constituencies were borne by the candidate, though the returning officer was legally liable for them.

MR. STANSFELD replied in the negative.

MR. CANDLISH said, the questions involved were important matters of principle, for he thought there ought to have been no power to enable the Secretary to the Treasury to put this sum down on the University Vote. He regretted that the right hon. Gentleman the Member for the University (the Chancellor of the Exchequer) had not prevented this complication by signing a cheque for the amount.

THE CHANCELLOR OF THE EXCHEQUER said, he had not intended to take part in the discussion; but after what had just been said he wished to point out that the University took the opinion of the legal advisers of the Treasury on the point, and they advised that the candidate was not liable for the amount. The Committee might believe him when he said that he would have preferred to pay the £32 odd rather than have the pleasure of listening to this discussion. What right had he to make a precedent for the University of London by paying a sum for which he was not legally liable? He had no right to do so, and therefore he had not paid the money.

SIR JOHN LUBBOCK said, that this was one of the expenses which properly fell under the head of incidental ex-

penses. He could well understand that his right hon. Friend the Chancellor of the Exchequer would much rather have paid the sum than had this discussion about it; but he was very glad he had not done so. He hoped a precedent would be established by this case, and that the returning officers' expenses in other contests would in future be paid by the constituency.

SIR STAFFORD NORTHCOTE considered that an important question of principle was involved in this case. The amount was trivial; but the real question was one which had been submitted more than once to the judgment of the House by the hon. Member for Brighton (Mr. Fawcett) and others, and on which the House pronounced an opinion in opposition to the view taken by the Treasury on this occasion. He did not think they had anything to do with the practice of the elder Universities. They had funds belonging to them, and were in the practice of paying these expenses; but the University of London had no funds of its own. It was supplied with funds by that House, and was expected to account to the House for the fees it received. It therefore paid £32 less than it received.

MR. STANSFELD explained. The whole of the receipts were paid into the Exchequer; but he authorized the payment of this charge out of the Vote.

SIR STAFFORD NORTHCOTE apprehended the expense would have fallen on the returning officer if it had not been paid. The question then arose whether the same rule should not be extended to other constituencies. Upon that point he thought the sense of the Committee should be taken.

MR. M'LAREN observed that in the case of the two University constituencies in Scotland, which got Members at the same time as the University of London, the Act declared that the expenses of the returning officer should be paid by the candidates. He could not see why the same rule should not apply to London University.

LORD CLAUD HAMILTON said, he hoped the House would show its appreciation of the independence of the public auditor.

Question put.

The Committee divided:—Ayes 39; Noes 115: Majority 76.

Original Question put, and agreed to.



(32.) £8,220, to complete the sum for the Endowed Schools Commission.

(33.) £12,894, to complete the sum for Grants to Scottish Universities.

(34.) £1,350, to complete the sum for Board of Manufactures (Scotland).

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Maguire.*)

Motion, by leave, *withdrawn.*

(35.) £425, to complete the sum for Public Education (Ireland).

(36.) £1,290, to complete the sum for National Gallery (Ireland).

(37.) £1,134, to complete the sum for Royal Irish Academy.

(38.) £2,140, to complete the sum for Queen's University (Ireland).

(39.) £2,915, to complete the sum for Queen's Colleges (Ireland).

House resumed.

Resolutions to be reported *To-morrow*, at Two of the clock;

Committee to sit again *To-morrow*, at Two of the clock.

#### GLEBE LOANS (IRELAND) BILL.

(*Mr. Chichester Fortescue, Mr. Stansfeld, Mr. Solicitor General for Ireland.*)

[BILL 222.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. NEWDEGATE said, there were several important considerations connected with the measure which appeared not to have been at all entertained, even if at all perceived and understood on the occasion of the second reading, when he was unable to be present in the House. The declared purpose of the Judge Advocate who introduced a similar Bill in 1867, was to secure endowments in order to the establishment of the Roman Catholic Church in Ireland, and the present Bill, though less candid, had an object precisely similar, for it proposed to enable any person having a limited or only a trustee's interest in landed property to charge it by way of mortgage, or to alienate it altogether to the extent of 10 acres for each glebe, which would then be held virtually in mortmain. The Bill, if passed, would, taken in connection with the Ecclesiastical Titles Repeal Bill, enable the

Roman Catholic Bishops to hold these glebes in mortmain, and he found that the Bill contained no provision to secure the protection of the Bequests Act. For these reasons, and because at that late hour it would be idle to attempt an analysis of the various powers and provisions of the statutes for the improvement of landed property, which by this Bill would apply to the incumbrance and to the alienation of that property, he should move the adjournment of the debate.

MR. FIELDEN seconded the Motion.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Newdegate.*)

The House divided:—Ayes 31; Noes 113: Majority 82.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

Bill considered in Committee.

Bill reported; as amended, to be considered upon *Monday* next.

#### MEETING OF PARLIAMENT BILL.

LEAVE. FIRST READING.

MR. GLADSTONE, in moving for leave to bring in a Bill to amend the existing Acts by which the time at which Parliament could be appointed to meet after the date of the Proclamation summoning them together was regulated; and also to move a new Standing Order by which the time within which it was at present practicable to obtain Votes in Supply would be shortened, said, that by the existing law Parliament might be summoned by Royal Proclamation, to meet on any day not less than 14 days from the day of the date of such Proclamation. No doubt that interval was fixed upon consideration of the speed of communication and travelling in the reign of George the Third. At the present time such an interval was quite unnecessary. At the time when Parliament was called together in the autumn of 1867, for the purpose of providing for the Abyssinian War, Parliament stood prorogued from the 21st August to the 6th November. On the 4th of November the Royal Proclamation was issued summoning Parliament to meet for the dispatch of business on the 19th; when it accordingly met, and proceeded im-

mediately to consider the proposition of Her Majesty's Government with respect to the Abyssinian Expedition. Such, however, were the delays interposed by the Standing Orders, and by the rules and practices of the House, that it was not until the 27th that the Supply was voted in Committee; the necessary means in Committee of Ways and Means on the 28th; and the Bill received the Royal Assent only on the 7th December. Thus a period of 33 days elapsed after Parliament had been summoned to meet to deal with a business of pressing importance, before the means necessary to meet the emergency could be legally provided. It appeared to Her Majesty's Government that these periods were unnecessarily long, and they therefore proposed by the present Bill to reduce the interval between the Proclamation and the meeting of Parliament to six days. There were special Acts relating to the Militia (the 42 *Geo. III.*, caps. 9 and 91), which provided that when Her Majesty should think fit to call out the Supplementary Militia, and Parliament stands prorogued for more than 14 days, Her Majesty shall issue a Proclamation for the meeting of Parliament within 14 days—14 days is the maximum, not the minimum. It was not proposed to interfere with that special provision. With regard to the Voting of Supplies—at present, after Her Majesty's most Gracious Speech from the Throne, the House proceeds to vote an Address. The Address having been reported and agreed to, Her Majesty's Speech is ordered to be considered at the next Sitting of the House. At its next Sitting the House, accordingly, takes the Speech into consideration; and a Motion being made—"That a Supply be granted to Her Majesty," a Resolution is agreed to that the House will to-morrow (or on a future day) resolve itself into a Committee to consider that Motion. On that day, on the Order of the Day being read, Her Majesty's Speech is ordered to be referred to the Committee; and the House having resolved itself into Committee, and the Queen's Speech being read, the Committee resolves—"That a Supply be granted to Her Majesty." This Resolution being reported to the House, the Report is ordered to be received on a future day. The Resolution being reported, the House thereon resolve that "This House do agree with the Com-

mittee in the said Resolution," and resolve—"That this House will, upon a future day, resolve itself into a Committee, to consider the Supply granted to Her Majesty." This Committee is the Committee of Supply. On the appointed day, on the Order being read for the Committee of Supply, and the necessary explanations given, Accounts and Estimates are referred, and the House resolves itself into the Committee, and at last proceeds to consider the matter referred to it. Whatever Resolutions the Committee of Supply may come to, the Report having been made to the House, it is ordered to be received on a future day; and the Resolutions are on that day severally moved and agreed to. When the first Resolutions in Committee of Supply have been agreed to, it is resolved—"That this House will, on a future day, resolve itself into a Committee to consider of Ways and Means for raising the Supply granted to Her Majesty." This Committee is the Committee of Ways and Means. The Committee, on a day appointed, consider of Ways and Means, and having come to a Resolution, that Resolution is reported to the House on a subsequent day; and, having been so reported and agreed to, a Bill is ordered, which must pass through both Houses of Parliament. Through these forms it must be on the ninth Sitting after the meeting of Parliament before the Supply can be agreed to by the House of Commons; and a Bill could not be pushed through Parliament (in the ordinary course) in less than six days. It seemed to Her Majesty's Government that these formalities were unnecessary, and occupied a great deal of time to no good purpose. The new Standing Order he was about to propose would enable the House to appoint the Committees of Supply and Ways and Means without the interposition of the customary forms between the Address in Answer to Her Majesty's Speech and the Committee. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

#### Motion agreed to.

Bill to amend the Acts of the thirty-seventh year of George the Third, chapter one hundred and twenty-seven, and the thirty-ninth and fortieth years of George the Third, chapter fourteen, ordered to be brought in by Mr. GLADSTONE and Mr. SECRETARY BRUCE.

Bill presented, and read the first time. [Bill 247.]



COMMITTEES OF SUPPLY AND WAYS  
AND MEANS—NEW STANDING ORDER.

MR. GLADSTONE then moved that the following be a new Standing Order:—

“That this House will, in future, appoint the Committees of Supply and Ways and Means, at the commencement of every Session, so soon as an Address has been agreed to, in answer to Her Majesty’s Speech.”

Motion agreed to.

Ordered, That the said Order be a Standing Order of this House.

## IRISH LAND BILL.

Lords Amendments to Commons Amendment to Lords Amendments, and Reasons assigned by The Lords for insisting on their Amendment to the Amendments made by this House to the Amendments made by their Lordships, *considered*.

Lords Amendments to Commons Amendment to Lords Amendments *agreed to*.

Resolved, That this House doth not insist upon its disagreement to the Amendment made by The Lords to the Amendments made by this House to the Amendments made by their Lordships upon which their Lordships insist.

## BEERHOUSES BILL.

Bill “to make provision in relation to certain Beerhouses not duly qualified according to Law,” presented, and read the first time. [Bill 248.]

House adjourned at Two o’clock.

## HOUSE OF LORDS,

Friday, 29th July, 1870.

MINUTES.]—PUBLIC BILLS—*First Reading*—

Local Government Supplemental (No. 3)\* (259); Local Government Supplemental (No. 4)\* (260); Census\* (264); Petroleum\* (265).

*Second Reading*—Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* (227); Pier and Harbour Order Confirmation (No. 3)\* (228); Dublin City Voters Disfranchisement\* (237).

*Committee*—Elementary Education (235-262); Telegraph Acts Extension\* (206).

*Committee*—*Report*—Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment\* (231).

*Report*—Magistrates, &c. Election (Scotland)\* (240); Absconding Debtors\* (256-263); Sheriffs (Scotland) Act (1853) Amendment, &c.\* (257).

*Third Reading*—Curragh of Kildare\* (183); Settled Estates\* (255); Wages Arrestment Limitation (Scotland)\* (192), and *passed*.

FRANCE AND PRUSSIA—ALLEGED  
DRAFT TREATY.—QUESTION.

## OBSERVATIONS.

THE EARL OF MALMESBURY: My Lords, my noble Friend the Secretary of State for Foreign Affairs having given me permission to ask him a Question, I

now rise to do so. It relates to the projected Treaty between France and Prussia. I remarked last night that your Lordships and the country would be very anxious for further information respecting the *Projet de Traité* which appeared in *The Times* of Monday. A few days after its publication in that journal my noble Friend (Earl Granville) stated to your Lordships that Lord Augustus Loftus, the British Ambassador at Berlin, had verified the document as authentic, and that it would be published in the Prussian official journals. My noble Friend also stated that he had had a conversation with the French Ambassador, who treated it as a project which had never been seriously entertained, and to which the two parties had never agreed. Since my noble Friend made that statement to your Lordships, the Prussian Government has apparently published in the official journal a letter which Count Bismarck, the Chancellor of the North German Confederation, has addressed to Count Bernstorff, the Prussian Ambassador at this Court. That letter also appears in the newspapers this morning, and after its perusal it appears to me a document of such an extraordinary nature that I can only make use of the word “appalling” to describe its tenour. It is almost impossible for us, I think, to believe implicitly what it states; but I wish to ask my noble Friend if he will state to the House what he knows of the matter? The letter is as follows:—

“To Count Bernstorff,

“Your Excellency will be good enough to communicate the following to Lord Granville:—

“The document published by *The Times* contains one of the proposals which have been made to us since the Danish War by official and unofficial French agents, with the object of establishing an alliance between Prussia and France for their mutual aggrandizement. I will send the text of an offer made in 1866, according to which France proposed to aid Prussia with 300,000 men against Austria, and to permit Prussia’s aggrandizement by 6,000,000 or 8,000,000 of subjects in return for the cession to France of the district between the Rhine and the Moselle. The impossibility of agreeing to this course was clear to all except French diplomatists. On this proposition being rejected the French Government began to calculate upon our defeat. France has not ceased to tempt us with offers to be carried out at the cost of Germany and Belgium. In the interests of peace I kept them secret. After the Luxemburg affair the proposals dealing with Belgium and South Germany were renewed. M. Benedetti’s manuscript belongs to this period. It is not likely that M. Benedetti acted without the Em-

peror's sanction. Finally, the conviction that no extension of territory was attainable in conjunction with us must have matured the resolve to obtain it by fighting us. I have even grounds for believing that had not this project been made public, after our armaments on both sides were complete, France would have proposed to us jointly to carry out M. Benedetti's programme against unarmed Europe, and to conclude peace at Belgium's cost. If the French Cabinet now repudiates aims, for our participation in which it has uninterruptedly laboured since 1864, either by demands or promises, this is easily to be explained by the present political situation."

This paper actually accuses the French Government, in a time of profound peace, and of perfect amity with the rest of Europe, of joining Prussia in a violent attack on an independent State, which may be described perhaps as the most innocent and quiet kingdom in Europe. Now, it is not fair under any circumstances, but certainly not for us as neutrals in this war, and as old and faithful allies of the Emperor of the French, to accept this statement as true without hearing what may be said on the other side; but it so happens that on the very day that the projected Treaty appeared in *The Times* a document appeared in *The Daily Telegraph*, which I believe to be thoroughly authentic, though it was not official, and was in the form of a letter, signed anonymously by "An Englishman." It was not taken notice of in this House on Monday evening, for the reason I believe that the noble Viscount (Viscount Stratford de Redcliffe) was not then aware of its publication; but I regard it as a French comment and key to the *Projet de Traité* published by *The Times*. It states that the writer, whose name I believe is very well known, and who has been for some time resident at Paris, had an audience of the Emperor, that they touched upon the question of the war, and that the writer afterwards inquired whether he was at liberty to repeat the Emperor's words; whereupon His Majesty answered that he wished nothing better than that he should be represented to the people of England as holding these views. The letter, although not official, may therefore be deemed trustworthy. "The Emperor," says the writer, "proceeded to say—

"I had no notion that war was at hand, nor am I, even at this moment, by any means prepared for it. I trusted that, when the Duc de Gramont had set me straight with France by speaking manfully in public as to the Hohenzollern candidature, I should be able so to manipulate and handle the controversy as to make peace certain.

*The Earl of Malmesbury*

But France has slipped out of my hand. I cannot rule unless I lead. This is the most national war that in my time France has undertaken, and I have no choice but to advance at the head of a public opinion which I can neither stem nor check. In addition, M. de Bismarck, although a very clever man, wants too much, and wants it too quick. After the victory of Prussia in 1866, I reminded him that but for the friendly and self-denying neutrality of France he could never have achieved such marvels. I pointed out to him that I had never moved a French soldier near to the Rhine frontier during the continuance of the German war. I quoted to him from his own letter in which he thanked me for my abstinence, and said that he had left neither a Prussian gun nor a Prussian soldier upon the Rhine, but had thrown Prussia's whole and undivided strength against Austria and her allies. I told him that, as some slight return for my friendly inactivity, I thought that he might surrender Luxemburg, and one or two other little towns which gravely menace our frontier, to France. I added that in this way he would, by a trifling sacrifice, easily forgotten by Prussia in view of her enormous successes and acquisitions, pacify the French nation, whose jealousies it was so easy to arouse, so difficult to disarm. M. de Bismarck replied to me, after some delay—'Not one foot of territory, whether Prussian or neutral, can I resign. But, perhaps, if I were to make some further acquisitions I could make some concessions. How, for instance, if I were to take Holland? What would France want as a sop for Holland?' 'I replied,' said the Emperor, 'that if he attempted to take Holland it meant war with France; and there the conversation, in which M. de Bismarck and M. de Benedetti were the interlocutors, came to an end.'"

Now, it appears from this that there must have been some *pourparlers* upon these questions. Your Lordships will observe that there is a remarkable point in these two papers and also in the *Projet de Traité*. The Emperor speaks of Holland, and says that Count Bismarck would have agreed to his terms if he had consented to give up Holland to Prussia; whereas in Count Bismarck's statement and in the draft Treaty nothing is said of Holland, Belgium alone being mentioned. Now, this country must naturally be very anxious for some elucidation of these contradictory and confusing statements. My Lords, it would be very unfair to the Emperor of the French not to give him credit for the loyal manner in which he has always behaved to this country. I know it, perhaps, better than any man, for I recollect that when I was appointed to the Foreign Office for the second time, in 1858, it was, unfortunately, at the very moment when France was in a state of the highest excitement on account of the attempt of Orsini on the Emperor's life and of the letter written by the French colonels, entreating the Emperor to go to war with



England. That letter had just been published, and had created an immense effect. I must say, in justice to the Emperor, that it was to him, and him only, that we owe it that peace was not broken at that moment. France did not then "slip out of his hand." He held her fast, and gave time for the passions of the people to subside. To him, therefore, we owe it that peace was maintained between England and France then, and that it has been maintained till now. I need hardly remind your Lordships of the Emperor's conduct during the Indian Mutiny, when he offered a passage for our troops through France, as the shortest route to India; nor need I remind you of his conduct when we received an insult at the hands of the United States in the matter of the *Trent*. With these recollections before me, it is with the greatest pain—with the greatest difficulty, that I can conceive that these accusations made against him by Prussia are true. In some measure, we may say the same of Prussia. Although she has not had the opportunity of showing so positively her good faith towards England, she has, as far as I know, always maintained towards us an attitude of friendly alliance. It, therefore, makes it almost impossible for us to believe that these two Powers should have at any time seriously contemplated the violent revolution in Europe which these documents represent.

EARL GRANVILLE: My Lords, the other day, after the publication of the alleged draft Treaty in *The Times*, I ventured to state to your Lordships that Her Majesty's Government felt sure that both parties would be desirous of giving full explanations of the whole matter; and, having expressed that desire, I was anxious not to delay in any way giving publicity to any explanations which they might officially offer. I think, however, that for the future it would be more convenient to your Lordships, and more advisable in other respects, that these communications should not be carried on by daily Questions and Answers, but that I should be permitted to make them to your Lordships at the fitting time. With regard to the present Question, I will now give an Answer, though it must necessarily be a condensed one. I will not say anything that is not perfectly significant; but while I communicate to your Lordships what has passed,

your Lordships will bear in mind that I simply repeat what has been said to me, and that I reserve any opinion I may form on any part of the question. I prefer to read the English translation of the telegram which Count Bernstorff has been good enough to put into my hands. It is very similar to the telegram which my noble Friend has quoted from this morning's papers, though it is not precisely in the same words. It is as follows:—

"Berlin, July 28, 1870.

"Your Excellency will communicate to Lord Granville the following, reserving a further written explanation:—

"The Draft of Treaty published in *The Times* contains one of the numerous propositions which have been made to us since the Danish conflict up to recent times through official and non-official French agents, in order to bring about a Treaty between Prussia and France for the object of mutual aggrandizement. I shall send to your Excellency the tenour of another proposal made to us in June, 1866, also planning an offensive and defensive alliance, according to which France promised to us the aid of 300,000 men against Austria, and an aggrandizement of six to eight millions for the cession of a tract of land between the Rhine and Moselle.

"The impossibility for me to agree to such propositions were certainly clear to everybody, with the sole exception of the French diplomacy. After we had refused to agree to this or other propositions in June, 1866, the French Government began to speculate upon our defeat, and the profit it might derive from it, and to prepare it diplomatically. Since the patriotic "pang" of M. Rouher, France never ceased to lead us into temptation by propositions at the expense of Germany and Belgium. For the sake of peace I kept the secret, and treated the propositions in a dilatory manner. When the more modest French designs with reference to Luxemburg had been counteracted by events which are publicly known the more extensive propositions embracing Belgium and Southern Germany were renewed.

"It was at this time, in 1867, that Count Benedetti's manuscript was communicated to me. That the French Ambassador should have drawn up this Draft with his own hand, and repeatedly have conferred with me on the subject without the consent of his Sovereign, is improbable.

"The difficult phases of French discontentment and warlike inclination which we experienced from 1866 up to the Belgian railway question coincided with the inclination or reluctance the French agents expected to meet with on my part regarding these negotiations.

"The final conviction that no territorial aggrandizement for France could be obtained with our co-operation has undoubtedly ripened the resolution to gain it by war against us. I have every reason to believe that if this publication had not taken place France would have proposed to us, after the completion of her own and of our own preparations for war, to enforce Count Benedetti's programme at the head of the two armies against unarmed Europe—that is to say, to conclude peace at the expense of Belgium.

"The Draft of Treaty which is in our hands, and which Lord Augustus Loftus has seen, is from beginning to end, including the corrections, in Count Benedetti's own handwriting, well known to the English Ambassador.

"If the French Cabinet now denies tendencies for which it has constantly tried to obtain our consent since 1864 by varying promises and demands, this seems very natural under the present political circumstances."

"BISMARCK."

My noble Friend (the Earl of Malmesbury) has alluded to a letter which was published in *The Daily Telegraph* a few days ago. Now, of course, I can deal with nothing but official communications, and I can give no opinion whatever as to the authenticity of that letter or of its contents. The letter from Count Bismarck to Count Bernstorff was put into my hands yesterday morning; and in the afternoon just before the House met and when I had not time to digest what he stated to me in time to answer a Question upon it, the Marquis de Lavalette made a statement to me. The tenour of it I think I shall best state by reading a despatch in which it is embodied, and which will be sent off this evening to Lord Lyons. It is as follows:—

"Foreign Office, July 29, 1870.

"My Lord,—The French Ambassador called upon me on the 28th inst., for the purpose of communicating to me the purport of a despatch which had been addressed to his Excellency by the French Minister for Foreign Affairs on the subject of the pretended Draft Treaty published in *The Times*.

"In that despatch, which M. de Lavalette was good enough to read to me, the Duke de Gramont observed that the very form in which this Treaty was drawn up, and the terms in which it is couched, showed clearly whence it came, and can deceive no one.

"Those who have watched the course of European affairs since the accession to office of M. de Bismarck are aware from which side have come those suggestions which are now attributed to France.

"Ever since the year 1865 M. de Bismarck has constantly endeavoured to carry out his own plans by endeavouring to turn the attention of the French Government to territorial aggrandizement. He told M. de Lefebvre de Béhaine, then Chargé d'Affaires at Berlin, that Prussia would willingly recognize the rights of France to extend her borders wherever the French language is spoken, thereby indicating certain Swiss cantons besides Belgium.

"These overtures the Government of the Emperor declined to entertain.

"The following year, immediately after the battle of Sadowa, similar proposals were made at Brunn to M. de Béhaine, and on this occasion Count Bismarck told him that the course of France was clear. The French Government should go to the King of Belgium and explain that the in-

evitable increase of Prussian territory and influence was most disquieting to their security, and that the sole means of avoiding these dangerous issues would be to unite the destinies of Belgium and France by bonds so close that the Belgian Monarchy, whose autonomy would, however, be respected, would become in the North a real bulwark of safety for France.

"Further reporting a conversation with Count Bismarck in July, 1866, the French Ambassador informed his Government that he reported nothing new in stating that M. de Bismarck is of opinion that compensation should be sought by the French in Belgium, and offered to come to an understanding on the subject.

"The Government of the Emperor, the Duke de Gramont went on to say, declined to listen to these proposals, and when, at a later period, they sought the rectification of their frontiers, they expressly declined in the discussion to mention even the name of Belgium.

"The Duke de Gramont then points out that if such designs against Belgium had really been entertained by his Government, it would have been easy to carry them out with the proffered assistance of Prussia, who was only anxious to secure the fruits of her victories.

"These suggestions were again made at the time of the Luxemburg affair. They were unwillingly received and categorically rejected by the Emperor.

"Finally, the Marquis de Lavalette was instructed formally to assure Her Majesty's Government that in these proposals the initiative was entirely taken by the Prussian Cabinet. M. de Lavalette then informed me that he had received instructions by telegraph to acquaint me that the document in the handwriting of M. Benedetti was written by him under the dictation of Count Bismarck, who wished to entangle the French Government in a conspiracy against the liberties of Belgium, and that then, as at other times, the scheme was positively rejected.

"I am, &c., GRANVILLE."

I have had a communication from M. de Lavalette since, to say that this is not a complete answer to the telegram which the French Government only received this morning, but that further information will be sent.

#### ELEMENTARY EDUCATION BILL.

(*The Lord President.*)

(NO. 235.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 3—*Preliminary.*

Clauses 1 and 2 *agreed to.*

Clause 3 (Definitions).

EARL RUSSELL proposed, page 1 lines 22 and 23, to omit the words "the Lords of the Committee of Privy Council on Education" and insert "the Minister of Education or President of the

*Earl Granville*



Board of Education," with the view of confiding the charge of the education of the country to a separate Department. The Committee of Council consisted, among other Members, of his noble Friend the Foreign Secretary, of the Home Secretary, and the Chancellor of the Exchequer. Now, these Members of the Government were fully occupied with the duties of their respective Departments, and were unable to give any attention to the question of education. Another reason for the change he proposed was that, although the Committee of Privy Council might be able to superintend the existing system, the extension now proposed and the many difficult and important questions to which it would give rise demanded the formation of a distinct Department. The only question, indeed, was whether the change should be made at once or whether at some not very remote date. Now, he maintained that all the difficult questions connected with political and religious differences, considering the apathy which prevailed in the rural districts, should come at once before a permanent Department, instead of being partly decided by the present interim administration. He found that the Department as at present constituted, contained 61 Inspectors and 15 Assistant Inspectors, and with the clerks and others engaged it numbered 150 persons. Now, surely, such an extensive machinery adapted to a system of such great importance required to be placed under the control of a responsible chief.

*Amendment moved.*

EARL DE GREY AND RIPON said, he rose with considerable reluctance to express a difference of opinion from his noble Friend who had just sat down. He felt regret at all times in differing from his noble Friend, but most especially in differing from him on the subject of education, to which his noble Friend had given so much attention through many years of his life. He would not enter into the abstract question what was the best composition for the Education Department; but he would ask his noble Friend not to press his Amendment in the present circumstances. While he bore his willing testimony to the excellent working of the Department, he was ready to admit also that there were some serious defects, and that its reor-

ganization would probably have to be considered. With regard to the present constitution of the Department, he considered that he, as Lord President, had been singularly fortunate. Their Lordships had shown, by the observations which fell from noble Lords on both sides of the House at the second reading, how much they appreciated the great ability and the eminent services of his right hon. Friend the Vice President. But he must also say that he had been fortunate in the permanent chiefs of departments. There were two men especially, whose ability and experience he could not too highly eulogize—he meant Mr. Lingen and Sir Francis Sandford, who had on all occasions given him the most complete and efficient assistance. His noble Friend (Earl Russell) had pointed to the Members of the Committee of Council on Education, who held the highest official offices of the State, and asked how it was possible that they who were so occupied with the duties of their own Departments could give any attention to education. Now, he (Earl de Grey) must mention that the composition of the Council of Education was regulated merely by two considerations—the first was that those Ministers were appointed whose Departments were more or less associated with education; and the second was the personal qualifications of the Members themselves. His noble Friend the Foreign Secretary, for instance, was a Member of the Committee not because he was Foreign Secretary, but because he had been for a long time President of the Council, and his assistance and advice in the Department was therefore of very great value. It was true the Committee was not often called together; but when it was called the advice of the Members on the points on which they were to be consulted was found to be of great value. But he did not mean to deny that when the educational arrangements of the country were placed on a sounder basis it might, and would, be necessary to reconsider the organization of the Department. At present they were passing through a state of transition, and it would be better to wait and see what new features the question would assume—not only elementary education, but middle-class and public school examination, for all those must come under the charge of the Department. But he would go further,

and say that they could not make that change alone. If they made that change in the Education Department it would be necessary to take account of a great many other Departments which would be affected by the change. The question was one that eminently deserved the consideration of the Government, and it would be for the Government not only to consider what changes were necessary in this Department, but what modifications that change would render necessary in others. He hoped, therefore, that his noble Friend would not, under these circumstances, press his Amendment.

EARL RUSSELL said, he thought the arguments of his noble Friend were rather reasons for his Amendment than against it. When they were about to make a great change it was the proper time to consider its effects upon the other arrangements. If other Departments were likewise to be considered, he should wish to propose some extensive alteration. For instance, he should like to abolish the Office of Lord Lieutenant of Ireland, and to create two new Secretaries of State—one for Ireland, and one for Law and Justice.

EARL FORTESCUE said, his noble Friend (Earl Russell) had given cogent reasons for that proposal; while no very conclusive arguments had been used in opposition to it.

EARL GRANVILLE hoped his noble Friend would not press the Amendment. He agreed that it was not a perfect argument to say that because up to this time a system had worked well, therefore at no future time should you make a change. It was very desirable, however, that at that stage, before their Lordships knew what development the Bill would have, a decision should not be taken upon a point not comprised in the measure sent from the other House.

EARL RUSSELL said, he should be content if he could hope that the arrangement for appointing a Minister of Education would be adopted at no very remote period.

THE DUKE OF RICHMOND said, he was unwilling now to discuss whether there ought to be a Minister of Education or not; but, supposing he were of that opinion, he did not think that, having regard to the form in which the Bill was presented to their Lordships, this was the proper time for carrying out the object of the noble Earl. If, therefore,

the noble Earl divided the House he must vote against him.

LORD LYTTTELTON said, he entirely agreed with the Amendment; but he could not think this the proper occasion for proposing the alteration. He hoped the noble Earl's proposal would be carried at no distant day.

EARL STANHOPE said, he was also much disposed to agree with the noble Earl as to the expediency of having a Minister of Education; but thought it inexpedient to press the subject now.

*Amendment negatived.*

*Clause agreed to.*

#### PART I. LOCAL PROVISION FOR SCHOOLS.

Clause 4, (School districts, &c., in schedule).

THE DUKE OF MARLBOROUGH said, this clause and the Schedule to which it related provided that the parishes should be taken as the rating unit, and that the educational rate should be levied over the entire parish. Now, nothing could be more unfortunate for the good working of this Bill than that it should be unpopular; and he thought this clause and the Schedule which related to it would have this effect. The framers of the Bill seemed to have failed to observe a process of great importance which had been going on throughout the country for many years in the subdivision of extensive parishes; and that in numberless instances the new parish, or the ecclesiastical district constituted out of the ancient parish, often surpassed both in wealth and population the old mother parish. It often happened, too, that the same causes which had led to the creation of the new parish—a spirit of self-reliance and a readiness to provide funds for ecclesiastical purposes—had tended to provide the new district with a more complete ecclesiastical and educational equipment than the old parish had possessed, and, consequently, educational destitution was greater in the old parish than in the new one. The effect of the Bill, however, would be, that if the inquiry of the Privy Council showed a deficiency of education in the mother parish, the Department would be bound to require that a school should be built and a rate levied over the whole area of the original parish; so that the subdivision which had provided fully and ef-



ficiently for its own educational wants would be rated over again for the wants of the mother parish. Now, there was no more fruitful cause of irritation against church rates—now dead and gone—than was created by the fact that, after a church had been erected at considerable expense and labour in a new ecclesiastical district, such district was liable to support not only their own but the mother church. Surely it could not be the intention of the Government that the same source of irritation should exist under the Bill. As the measure stood, however, there would be ecclesiastical districts with schools coming up to the requirements of the Privy Council, while the central parish would have rate-supported schools to which the whole of the inhabitants were obliged to contribute. He moved his Amendment in the interests of the measure itself, which would only work well if the rate were popular, but against which, on the grounds he had indicated, there would in such cases be considerable indignation. It was quite possible his proposal was one with which it was not competent for their Lordships to deal. If so, he should not press it; but without such a provision the satisfactory working of the Bill would be seriously imperilled.

Amendment moved, at end of clause insert the following words:—

“Provided always, That it shall be lawful for the Education Department by order to declare that any new parish or other ecclesiastical district which has been or shall be constituted under the provisions of any Act of Parliament shall be a parish within the meaning of the first schedule hereto, and thereupon such new parish or other ecclesiastical district shall be a parish for the purposes of this Act, and in the event of there being no overseers appointed for such new parish or district the Education Department may appoint the overseers of any parish out of which the new parish or district, or any part thereof, has been taken, to be the overseers of such new parish or district, provided that the Education Department may at any time revoke any such order.”—(*The Duke of Marlborough.*)

EARL DE GREY AND RIPON said, the noble Duke was right in the supposition that the clause was one with which their Lordships could not deal, as it proposed to alter the incidence of rating, and their Lordships could not interfere with it, without trenching upon the privileges of the other House of Parliament. He would not rest his opposition to the Amendment, however, merely on that point—he was also of opinion that the

alteration proposed was on general grounds undesirable. The principle of the Bill was to take the Poor Law division as the area of rating, and the rate was to be levied through the ordinary machinery of the poor rate; and that being the case it would be very undesirable to establish a separate rate on a separate system. Similar Amendments had been rejected by the other House on precisely the same ground.

EARL BEAUCHAMP observed that the Poor Law Board had now the power of dividing a parish into separate parishes, and he should like to ask the noble Earl whether he would not, on the Report, be prepared to introduce words providing that any of the new divisions should be regarded as a unit for the purposes of the Bill?

EARL DE GREY AND RIPON said, he believed the case was provided for under the Bill as it stood.

Amendment (by leave of the Committee) withdrawn.

Clause agreed to.

Clauses 5 to 7—*Supply of Schools.*

Clauses 5 and 6 agreed to.

Clause 7 (Regulations for conduct of public elementary school).

THE BISHOP OF CARLISLE moved the omission of the words—“A copy of which regulations shall be conspicuously put up in every school.” Was that desirable? The object sought to be attained by the use of these words was, no doubt, that parents should know on what conditions their children were admitted to the school; but the very persons who did not go into the school were the parents, while the children did, before whose eyes he thought it was very undesirable that the regulations should be constantly placed. He did not object to the regulations themselves; but they were the result of a compromise after a somewhat bitter controversy, and they retained marks of that bitterness in their provisions relating to attendance at Sunday schools, and the conditions under which the children were to receive religious instruction. If it were thought essential that the parents should be distinctly informed of the regulations, it would be much better to send a printed copy of them to the parent of every child in the school.

[Committee—Clause 7.]

EARL NELSON said, that if that were done the consequence would be that the children would have to read the regulations to their parents in almost every cottage.

EARL DE GREY AND RIPON said, he could not accept the Amendment, as the words of the clause were considered a necessary security for the children, and the best and most convenient mode of providing that security.

THE EARL OF HARROWBY concurred in the spirit of the remarks with which the Amendment had been proposed. If some such alteration were not made in the clause the children, who had the regulations constantly before them in school, would be misled into believing that it was better not to go to church, seeing that the regulations stated that no child should be required to go there, or to have any religious instruction.

THE BISHOP OF LONDON pointed out that, as the clause stood, the children would be very likely to put whatever pressure they could on their parents, in order to get relieved from religious instruction and have more time for play.

*Amendment negatived.*

THE EARL OF CARNARVON said, he had given Notice of an Amendment to the first sub-section of the clause, which to his belief was not only not contrary to the principle of the measure, but which in point of fact would tend to carry out the intention of the framers of the Bill, and to render the clause, which at present was somewhat ambiguous, rather more clear. The sub-section, as it now stood, declared that—

“No child shall be required, as a condition of being admitted into or continuing in the school, to attend or to abstain from attending any Sunday school, or any place of religious worship, or any religious observance or any instruction in religious subjects in the school or elsewhere.”

He believed that the intention of his noble Friend (Earl De Grey) was to leave the matter to the option of the parent of any child; but Mr. Forster, who had the conduct of the Bill in the other House, put a different interpretation on the words. To make the meaning quite clear, therefore, he would propose the insertion of these words at the commencement of the sub-section—“Whenever it shall be contrary to the wish of his parent or guardian” no child shall be required to attend or abstain from attending any Sunday school, &c. He

*The Bishop of Carlisle*

would remind their Lordships that if the clause were interpreted according to the sense put upon it by Mr. Forster, it would at once disqualify all the schools in connection with the National Society from receiving the Parliamentary Grant. There were no fewer than 13,000 schools in connection with that Society, which might be regarded as the representative of Church education in this country. Three years ago there were 1,500,000 scholars on the registers of the Society, which had received aid to a large extent from public as well as private sources. The total amount it had directly administered during the last 40 or 50 years was no less than £1,000,000, while the amount subscribed for the erection of schools amounted to something like £12,000,000. Therefore, this society had a very strong claim to have its interest protected by that House, yet, as the sub-section now stood, the Society would be disqualified, because it was one of the conditions of that society, that all the children receiving instruction in its schools should attend religious instruction and go to some place of worship; and the society could only allow that condition to be dispensed with under this Bill where the parents of a child actually objected to its being carried out. There was nothing in the Amendment which was at all inconsistent with the rest of the Bill.

*Moved*, “Whenever it shall be contrary to the wish of his parent or guardian.”—(*The Earl of Carnarvon.*)

EARL NELSON said, he had himself intended to move an Amendment to the same effect as that just proposed by his noble Friend. He believed that the provision about children not being forced to attend the Church schools really went to the root of the religious difficulty; for it was no doubt true that hitherto, notwithstanding the Conscience Clause, a great many children of Dissenting parents were pressed to attend the Sunday schools. He, therefore, would not advocate any alteration which would prevent the clause from being a real and practical Conscience Clause. At the same time, a fair amount of support ought to be given to the National Society, which had no objection to children being withdrawn from the Sunday schools and the services of the Church at the request of their parents



or guardians. That society objected, however, to place on the walls of the schools a notice to the effect that no child should be required to attend that kind of instruction for the imparting of which the society had been mainly founded.

EARL BEAUCHAMP pointed out that school children might be divided into two classes—those who received religious instruction at home and those who did not. In the interests of those who did not, their Lordships ought to insist that they should have religious instruction in school unless their parents objected to it. If there were any positive objection on the part of the parents that objection ought to be respected; but if there was no such objection, the children ought to be compelled to comply with the requirements of the school in respect of religious instruction.

THE BISHOP OF CARLISLE said, there was one point which had not been noticed; the clause as it stood would enable all the Church of England children, whether their parents wished it or not, on every Saint's day, inasmuch as those days were appointed by the Church of England for religious observance, to put on their caps and go to play; and nobody could stop them, for they would be acting under the authority of an Act of Parliament.

EARL DE GREY AND RIPON said the right rev. Prelate (the Bishop of Carlisle) had raised a very ingenious difficulty, which he confessed he had not foreseen. Under these circumstances, their Lordships would not expect him to do more than promise to consider the point; but he must say that he very much doubted whether the clause would bear the construction put upon it. As to the main question, he was sorry to say that it was not in his power to consent to the Amendment which had been suggested by the noble Earl (the Earl of Carnarvon). Their Lordships would remember the circumstances under which the clause assumed its present form, and the various propositions which had been made in respect to this question of the Conscience Clause by a very influential body in "another place." With these propositions Her Majesty's Government had been unable to agree, and the clause, as it at present stood, was the result of much discussion and compromise. He admitted that the religious difficulty had

been very greatly exaggerated; but the clause had been much canvassed in the other House, and he believed the concessions that had been made were due to the conscientious convictions of the Nonconformists. Looking back on the history of the clause, he earnestly hoped their Lordships would not insist on the Amendment, the effect of which would be to render it possible to establish a direct and compulsory connection between Sunday schools and schools which were now for the first time erected as a part of a really national system.

THE BISHOP OF EXETER said, that poor men would often be afraid to make a declaration that they did not wish their children to receive religious instruction; but he thought the difficulty would be met by an alteration in the wording, so that the sub-section might run thus—

"No parent shall be required to cause his child, as a condition of being admitted to the school, to attend religious instruction."

THE MARQUESS OF SALISBURY said, it appeared to him that the question in this clause was not a question between Church and Dissent, but whether they would put into an Act of Parliament that a child of five years of age was to be asked whether he would have religious teaching or not. There was no objection on that side of the House to leaving the matter to the discretion of the parents; what they did object to was the extreme absurdity of putting up in the school a placard that the child was to choose for himself whether he would or would not be taught religion. His noble Friend (Earl De Grey) seemed to attach great importance to religious teaching, and also to the supposed safeguards in the clause, and he imagined his noble Friend behind him (the Earl of Carnarvon) would have no objection to insert qualifying words before the words in line 13—"instruction in religious subjects;" so as to meet any objections, while removing from the clause the reproach of asking a child of five years to choose on a question of such momentous importance.

VISCOUNT HALIFAX said, there could be no objection to the proposal of the noble Marquess.

LORD LYTTTELTON said, the pressure should be put on the parents and not on the child.

EARL DE GREY AND RIPON said, he had no objection to the insertion of

some qualifying words as proposed by the noble Marquess. The noble Earl then suggested certain terms.

LORD CAIRNS said, he should be sorry to make any alteration in the clause if it could possibly be avoided—for as it now stood it was evidently the result of a compromise; at the same time, it was necessary to remove any patent defects. But with regard to this religious instruction, who was to be the negotiator with the schoolmaster? Was it the child or the parent? The clause at present left that perfectly uncertain. From the 1st section one would draw the conclusion that the child himself would perform this function; but the 2nd section enabled the parent to withdraw the child. Thus, if the parent wished to keep the child at religious instruction, and the child did not wish it, the latter could withdraw—for the parent had no power under the clause to make him attend. If the child happened to be an enlightened child, he might say—"I desire only secular instruction;" but his parent might desire that he should receive religious instruction—whose wish was the schoolmaster to obey? The Government should make it clear what they really meant. The clause in the Act relating to Irish schools was to the effect that no child should receive religious instruction whose parents or guardians disapproved; and that was what should be in the present clause.

THE LORD CHANCELLOR said, he approached this question with some anxiety. He believed that this clause had been gravely considered in the other House of Parliament, and that it was the result of a compromise of very varying opinions, in which each party had sacrificed some of their peculiar views. The Nonconformists were represented in the other House, where they had been able to state their views: but in their Lordships' House they were not represented; and that was a consideration that could not be ignored. In his opinion, if the Amendment proposed were adopted, the principle of the old church rate controversy would be raised, and the whole principle of the Bill would be destroyed at one blow. As the clause now stood the child would not be asked any question—the whole thing was to be left to the parents, who might do exactly what they pleased: they would not have

to express their assent to, or dissent from, anything. When they wished the child to do a thing they could make him do it. When they wished him not to do it they could make him refrain from doing it. The schoolmaster or school managers had nothing to do with imposing conditions. He hoped their Lordships would do nothing to disturb the compromise that had been arrived at.

THE EARL OF SHAFTESBURY said, he thought the clause inevitable under the circumstances and ought to be accepted. When the Bill was introduced in the House of Commons it contained a provision that the objection by the parents should be in writing; but the Government were driven from that position. Then a proposition was made that the objection of the parents should be stated; but the Government were again overruled. No doubt the reason in both cases was that those who opposed the proposed provisions knew that the parents never would object. However, the provision at present in the Bill was the result of a compromise, arrived at after long and angry discussions. The compromise was a very unsatisfactory one no doubt; but it was inevitable. After a long conflict, several nights' debate, and many Divisions, all parties came to the conclusion that the terms in the clause were the only terms in which they could agree. He thought the Government had saved a great deal for the friends of scriptural education. They had saved the admission of the Bible into the schools, and they had saved religious instruction as an integral part of the education to be given in them. But he feared very much that the adoption of the Amendment, however just that Amendment might be, would be regarded in the House of Commons as a breach of the compromise, and consequently would cause the loss of the Bill. He should very much regret such a result. And why? Because he felt as sure as he did of anything, that if this Bill were lost a measure of purely secular education would be passed by the House of Commons next year. He believed that even many of those who had stood up for the Bible this year would in another give up the struggle from mere weariness. He implored their Lordships not to run the risk of exposing the country to the loss of this Bill.



EARL DE GREY AND RIPON hoped their Lordships would give a careful consideration to the advice just given by the noble Earl, who spoke with so much authority on this subject. He was anxious, if possible, to bring about a satisfactory settlement, and with that view he would suggest an Amendment to be substituted for that of the noble Earl, if he (the Earl of Carnarvon) would so accept it. What he begged to propose was that after the words "any religious observance or any instruction in religious subjects in the school or elsewhere" these words should be inserted, "from which observance or instruction he may be withdrawn by his parent." Some slight verbal Amendments would be required in the previous part of the subsection in order to make the words proposed read with the rest of the subsection.

THE EARL OF CARNARVON said, he was much obliged to the President of the Council and would accept his suggestion.

Amendment (by leave of the Committee) *withdrawn*.

Then an Amendment made by inserting—"from which observance or instruction he may be withdrawn by his parent."

THE BISHOP OF GLOUCESTER AND BRISTOL moved to omit the words—

"The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school shall be either at the beginning or at the end or at the beginning and the end of such meeting."

So much had been said about the arrangements and adjustments which had occurred "elsewhere" that it was almost impossible to believe that any arguments could have weight with their Lordships; but the objection to those words being retained in the clause was that by such a provision religious teaching would most certainly suffer; and the opinion of all experienced schoolmasters was against it, as was shown by their meetings and Petitions. He wished to confine their Lordships to the simple issue whether they would be well advised to pass the clause in such a shape, when the opinion of many practical men in all parts of the kingdom was against it?

What had induced the House of Commons to pass the clause in its present condition after the many objections that

had been made to it? This clause was prospective, and the words were a compromise in respect to a state of things that might come into existence. It was in contemplation to apply compulsion hereafter, and it would be a formidable argument against that plan if it could be applied to religious instruction; the limit of time was therefore thought to be a convenient mode of meeting the objection. He contended, however, that the interests of religious education ought not to be sacrificed for some probable and prospective advantage to be derived if compulsion were applied to secular education.

THE BISHOP OF LINCOLN said, he heartily supported the Amendment. Religion must be the essence of all education, and if it were driven into a corner—if it were placed, so to speak, on the outskirts of secular teaching—what must be the impression made both on the children and the teacher? You thereby discredited and disparaged Christianity itself, treating it as though it were a thing to be ashamed of—as though secular instruction were the one thing needful, and religious instruction of comparatively minor importance: and he feared that the result before long would be a race of godless teachers and infidel scholars—that the sanguine expectations of many as to this Bill would be frustrated, and that many of the children thus educated would be disaffected and disloyal, using their instruction as a means of mischief rather than of good.

THE BISHOP OF EXETER admitted that it was somewhat of an inconvenience to tie down the teacher to the precise time at which any specified instruction should be given; but he did not share the exaggerated opinions of the evils resulting from such an arrangement. To say that religious instruction was treated with contumely by being placed on the "outskirts" of secular teaching was to assume that there was some special virtue in the middle school-time. His own experience, however, as a schoolmaster was that the beginning of the school-time was the best by far, and if he wished to choose any special hour for giving religious instruction he should choose that time in preference to any other. He therefore believed it would be very unwise to disturb a compromise, in order to remedy what, at worst, would be but a small inconvenience.

THE DUKE OF RUTLAND pointed out that there was no security that if the child were withdrawn from religious instruction it would be taught anything during this interval. He thought the clause gave to religious instruction the appearance of being a punishment.

EARL DE GREY AND RIPON thought that some of the objections expressed to this clause arose from the fact that it was supposed to restrict the teaching of religion to the beginning and end of the day; but as there were two school meetings per day, and religious instruction might be given at the beginning and end of each meeting, it followed that there were four distinct times at which religious education might be given. By adopting the Amendment their Lordships would get rid of the security intended to be afforded by the Time Table Conscience Clause. No doubt any interference with the time of teaching was, to some extent, inconvenient; but he found, from the tables sent to the Education Department in accordance with a Minute issued some time since, that nine-tenths of the existing time tables were framed, as to the period of religious instruction, in perfect accordance with this clause.

THE DUKE OF RICHMOND hoped, after the concession which had been made by the Government in the earlier part of the clause, and the explanation just given by the noble Earl, his right rev. Friend (the Bishop of Gloucester and Bristol) would not deem it necessary to press his Amendment. He wished, he might add, to point out that if religious instruction were to be given for a half or three-quarters of an hour or so at the opening of the school, many children would not, in all probability, attend till the expiration of that time, and considerable irregularity would thus be produced.

EARL DE GREY AND RIPON, in answer to the suggestion of the noble Duke (the Duke of Rutland), pointed out that although a child might be withdrawn from the religious instruction, it did not follow that he was to be withdrawn from the school.

THE BISHOP OF CHICHESTER was of opinion that in the morning, at the opening of the school, was the best time to give religious instruction, which to be solidly given must be regular. The morning, also, would be the most con-

venient time for the clergyman to attend. He therefore preferred the original clause to the Amendment.

LORD CAIRNS remarked, that the part of the clause of which the noble Earl (Earl De Grey) had just spoken, if read alone, did not provide for the withdrawal of the child from the school; but when taken in connection with the Proviso as to the time at which religious instruction should be given, a strong presumption arose that the object of prescribing that religious instruction should be imparted at the beginning or end of the meeting, was to enable the parents to withdraw the child from the school altogether at those times. Therefore the Government would do well to consider whether they ought not to accept the Amendment of which Notice had been given by the noble Earl behind him (the Earl of Carnarvon), in order to remove any doubt which might exist on this point.

THE BISHOP OF GLOUCESTER AND BRISTOL said, he would not press his Amendment in the present state of the House.

Amendment (by leave of the Committee) *withdrawn*.

THE EARL OF CARNARVON moved an Amendment to the effect that the time table should not only be approved, as provided by the clause, but also be "formed and framed" by the Education Department.

EARL DE GREY AND RIPON said, that if the Department were to issue a certain number of forms, which they were prepared to approve, the elasticity of the system which the Bill desired to establish would to a great extent vanish. It was clear, however, that the Department ought to have a certain amount of control over the arrangements of the time table, in order to insure that sufficient time was devoted to secular education; but dry forms would restrain the action of the managers in a very inconvenient manner. In his opinion the proposal embodied in the Bill was far simpler than that of his noble Friend, which he trusted would not be pressed.

THE DUKE OF MARLBOROUGH thought nothing could be more inconvenient than to have a great variety of modes of arrangement for time tables sent out to different schools. The result would probably be that the Education Department would themselves suggest



a form applicable to all schools, and it would, therefore, be much better to insert it in the Bill in the first instance.

EARL BEAUCHAMP said, the Amendment was not open to the objection of the Lord President, as it merely provided that the necessary forms should be approved—not prepared—by the Committee of Council.

*Amendment negatived.*

THE EARL OF CARNARVON moved an Amendment for the purpose of preventing children being kept away from school during the time devoted to religious instruction. It provided that during the time religious instruction was being given, children whose parents objected to such instruction should receive instruction in secular subjects.

THE DUKE OF RICHMOND said, he could conceive cases in which it would be almost impossible for two sorts of instruction to be going on at the same time; where, for instance, there was only one school or one teacher.

THE EARL OF SHAFTESBURY said, there were many parents who would not keep their children away for the purpose of their avoiding religious instruction, but would withdraw them for the sake of the half-hour's work. He thought the school Boards should have power to regulate the schools according to the condition of the localities.

EARL DE GREY AND RIPON thought that the object aimed at by the noble Earl would be attained by the clause as it stood. The Proviso would very seriously infringe on the principle upon which the clause was founded—if, indeed, it would not render the clause altogether illusory. It was necessary that the rights of conscience should be secured absolutely.

THE DUKE OF MARLBOROUGH said, as he had understood the noble Earl (Earl De Grey), the clause did not give power to withdraw altogether.

EARL DE GREY AND RIPON said, that remaining in the school was consistent with withdrawing from religious instruction.

LORD CAIRNS said, the arrangement should be such as would not encourage suspicion that the right of withdrawal was being infringed, and suggested to insert the provision—

“Any scholar so withdrawing shall receive instruction in other subjects if the same can be done

without the scholar being in the same room in which such religious instruction is being given.”

This would impose no rigid rule on the school managers, and yet would preserve the right of parents.

EARL DE GREY AND RIPON said, he would consider this proposal in conjunction with the Amendment moved by the noble Earl, and announce his decision on the Report.

LORD LYTTTELTON said, he had an Amendment upon the Paper suggesting a Proviso that when there is a class-room the managers may, with the consent of the Education Department, cause instruction to be given in religious subjects at any other time to be specified in the time table, and approved by the said Department. He trusted this also would be taken into consideration by the noble Earl.

EARL BEAUCHAMP, from his experience in schools, was able to say that children were instructed in the same room in all sorts of subjects in different classes without any interference with each other, and that therefore the proviso suggested by the noble and learned Lord (Lord Cairns) was quite unnecessary.

EARL DE GREY AND RIPON said, he was afraid he could not accept it, as it went far beyond the scope of the Amendment of the noble Earl (the Earl of Carnarvon).

*Amendment (by leave of the Committee) withdrawn.*

LORD LYTTTELTON moved to insert in sub-section (2), line 27, the following words:—

“Provided that when there is a class-room the managers may, with the consent of the Education Department, cause instruction to be given in religious subjects at any other time to be specified in the time table, and approved by the said department;”

and in order to give greater effect to this Proviso, he had to move the further Amendment that “the Inspector shall be bound to perform” no duties which might extend to an inquiry into the religious instruction given at the school. The Amendment was proposed in the interest of the district Inspectors; and he was confident the other House would not refuse to consider any Amendment of the clause for which good ground could be shown.

EARL DE GREY AND RIPON said, that admitting the value of the services of the Inspectors he preferred the clause

[Committee—Clause 7.]

as it stood. He did not think conscientious parents would object to the mode in which it provided for the religious instruction of their children: nor was he inclined to believe that the Inspectors in the future would act differently from the efficient manner in which they had hitherto discharged the arduous duties of their office. There was nothing in the clause to prevent the Inspector from examining the children, as a private individual and out of school hours, as to their religious knowledge.

Amendment (by leave of the Committee) *withdrawn*.

THE BISHOP OF MANCHESTER said, that the clause, in its present form, would postpone the effective and universal operation of the measure, unless the Education Department acted in defiance of all precedent. Before a school could obtain a Parliamentary Grant, it was required to be under a certificated teacher. It was estimated by the Department that they would be able to send out 1,600 certificated teachers per annum, which, after allowing for the estimated annual waste of 900, left only 700 available teachers; whereas no fewer than 25,000 certificated teachers would be required after the Bill came into force, in order to entitle the schools to the Parliamentary Grant: so that, unless the Department relaxed their terms, upwards of 20 years must elapse before the object of the Bill would be attained. Another matter to which he wished to refer in passing was the charge directed by some persons against the clergy of the Church of England, that in their efforts and self-sacrifice for the spread of education they had been actuated by nothing better than sectarian and proselytizing motives. That charge he most emphatically repudiated. His belief was that, on the contrary, they had engaged in school work simply to elevate the condition of the people by whom they were surrounded. He regretted the Bill did not afford more encouragement to the clergy to continue their efforts in the cause of education.

EARL DE GREY AND RIPON assured the right rev. Prelate that none could be more ready to acknowledge the great services of the clergy of the Church of England in the cause of education than the Government, and he did not think it fair to speak of this Bill as one in which those efforts were disregarded

*Earl De Grey and Ripon*

or discouraged. No doubt the Bill did not deal with the question the right rev. Prelate had raised; but he promised that the whole matter should come under the careful consideration of the Education Department.

Clause, as amended, *agreed to*.

#### Clauses 8 to 13—*Proceedings for Supply of Schools.*

Clause 8 (Determination by Education Department of deficiency of public school accommodation).

THE EARL OF SHAFTESBURY moved to add to the clause—

("As also every Sunday school not at present used as an elementary day school, but of which the trustees or managers are willing that it should be so used within the meaning of this Act; provided, that in estimating the amount of school accommodation required for such district due allowance shall be made for the number of children between the age of eight years and the age of thirteen years subject to the provisions of the Factory Acts Extension Act, or the Hours of Labour Regulation Act, or any further extension of those Acts, whereunder the same school provides for two sets of children, one in the morning and the other in the afternoon, and where consequently the total accommodation is for double the number of children who can be received at any one time.")

He also wished to know whether the Inspectors in examining into the sufficiency of educational accommodation would be directed to take into account the amount of industrial instruction given in many of the schools at present established in some of the poorest and densest portions of the metropolis, and the other large towns of the country. If not the majority of them would be closed?

Amendment *moved*.

EARL DE GREY AND RIPON thought the object which the noble Earl wished to secure would be achieved by the Bill as it stood.

EARL BEAUCHAMP said, it would be very desirable that instructions should be given to the Inspectors, to guide them in coming to a conclusion as to the efficiency of the school accommodation in any particular district; because it would be exceedingly hard and unjust on those who supported the schools to have to bear the expense of appealing in order to set right any mistake the Inspectors might make. It was absolutely necessary that the gentlemen employed in making the Returns should take into



account those matters to which the noble Earl (the Earl of Shaftesbury) had alluded.

THE EARL OF SHAFTESBURY said, the noble Earl had not replied to the question whether industrial employment would be taken into account, for, if it were not, the greater number of the schools in which the poorest classes were educated would be annihilated?

EARL DE GREY AND RIPON said, the Inspectors would have to be satisfied that the schools gave a sufficient and proper education to those children who were required to attend. In reply to the noble Earl (the Earl of Shaftesbury), he had to remind him that there were clauses in the Bill which related particularly to the adoption of industrial schools.

Amendment (by leave of the Committee) *withdrawn*.

Clause *agreed to*.

Clauses 9 to 13, inclusive, *agreed to*.

Clauses 14 to 27 — *Management and Maintenance of Schools by School Board*.

Clause 14 (Management of school by school Board).

VISCOUNT STRATFORD DE REDCLIFFE moved to omit the regulation as to religious catechisms and formularies, and to insert the provision that "at whatever time religious teaching may take place no catechism or formulary" should be taught in schools. He thought the Amendment would have no effect on the sense of the clause, though it would have on its meaning, and would have no general bearing on the character of the Bill. Having little local knowledge of the circumstances with which the Bill had to deal, he could only look at the general character of the Bill, which seemed to him, so far as he could understand it, to have much in it that commended itself to their Lordships' acceptance. The great difficulty in connection with the subject of education was that which arose from the difference of religion; and this Bill had had to encounter all those difficulties which sprang from the religious animosities which were the bane of this country. He admired much of the machinery for national education provided by the Bill; but he thought it a subject of great regret that there was no clear indication in this

Bill that it was the intention of Parliament that there should be religious teaching in these schools. It should be remembered that this was not a Bill which was intended to mould the character of the youth of England alone; it spoke, he might say, to the youth of the world at large; and in these times it was their duty to speak out clearly and distinctly their opinion that religion was an essential part of education. Now there were allusions to religious teaching in the Bill; but there was no distinct declaration that there should be religious teaching. It might be that it was an oversight on the part of the framers of the Bill, and to remedy that oversight he begged to propose his Amendment.

Amendment *moved*, page 6, line 7, to omit ("no religious catechism or formulary,") and insert ("at whatever time religious teaching may take place therein no catechism or formulary.") — (*The Viscount Stratford de Redcliffe*.)

EARL DE GREY AND RIPON said, he regretted he could not accept the Amendment of his noble Friend; nor did he understand how his Amendment could be less of a mere allusion to religious teaching than the words to which his noble Friend objected. The clause, as it stood, simply and directly expressed the intentions of Parliament, and the Amendment would require no further religious instruction. He did not see how Parliament could make any direct declaration with respect to religious teaching without adopting some formulary; which would be contrary to the whole principle of the Bill.

LORD LYTTTELTON attached no value to the introduction of the mere name of religious teaching, and thought the words proposed to be inserted would be of no service. Parliament could not define religious teaching, and he thought the only satisfactory way was to leave it to school managers to settle it for themselves in their own way.

THE DUKE OF MARLBOROUGH said, he sympathized with the object which the noble Viscount had in view, and regretted that, in the case of the school Board schools, there was not some greater recognition of the necessity of religious instruction. It might, however, be a question whether it was wise to impose, by Act of Parliament, the necessity of doing that which it might be

reasonably presumed would be done by the voluntary action of the school Boards themselves; and he submitted to the noble Viscount whether his object was not attained by Section 7, which, in the case of public elementary schools, required a Time Table Conscience Clause, and as these were public elementary schools there was thus an inferential recognition of the necessity of religious teaching.

*Amendment negatived.*

LORD COLCHESTER, in moving the Amendment of which he had given Notice, said, he hardly hoped, at this stage of the Bill, to succeed in making so considerable a change as it proposed; but he was anxious to express his strong protest against the form in which the clause had come up to their Lordships. When introduced into the other House of Parliament the Bill contained no restriction as to the religious teaching which the school Board might see fit to provide for those children whom their parents did not withdraw. The noble Earl (Earl De Grey) stated that he still had a parental affection for the clause in its old form: but unhappily, when opposition arose "elsewhere," the Ministry, like a prince of antiquity, sacrificed their child to appease the winds; or, like the subject of a more modern caricature, threw out one of their children to divert the wolves who pursued the rest. It appeared to him that the original clause was just and fair, and that similar justice and equity were not to be found in the present clause. As it stood, where the Church had a majority its formularies and catechism might be taught, subject to a right of withdrawal of children whose parents dissented. If any sect of Dissenters were in the majority they might equally authorize Dissenting teaching; and if the majority were opposed to denominational teaching it might be omitted altogether. The noble Earl (Earl De Grey) urged that by this latitude dissension, ill-blood, and sectarian animosity might be stirred up in the localities. This argument, as far as it had weight, seemed to go too far:—it applied to our whole constitutional system and all our system of local government. Debates in the Houses of Parliament might create irritation. General Elections, especially if, like the last, they turned on religious questions,

might excite the highest amount of religious agitation. Such an argument, so far from being one to be expected from the President of the Council of a Liberal Ministry, was rather what he should have expected from philosophers of the type of Hobbes or Joseph de Maistre—men who, with great talent and great earnestness, advocated absolute as against constitutional government. And, in fact, the very argument now used by the opponents of the original clause was precisely what he found in Clarendon was used against the extension of the power of the House of Commons—that it would cause faction in the places where they were chosen. If, however, the object were good, the clause failed to carry it out. The school Board might still establish either any form of religious instruction or no religious instruction whatever. Churchmen, Dissenters, Secularists might still struggle for the election of the Board who elected the schoolmaster. The only limitation was the somewhat ambiguous one of the exclusion of catechisms and formularies distinctive of any peculiar denomination. He did not know how these words would be interpreted. He hoped the Ministry would explain whether they intended to exclude only such formularies as were peculiar to any one denomination alone, or any which, like the creeds, were common to many religious bodies, but not to all. If it were intended in the former sense, then, as except Roman Catholics, who were scarcely anywhere a majority, and the Presbyterians, who scarcely existed in England, the only body using distinctive formularies was the Established Church. An invidious distinction was thus created, and a special disability imposed on that Church. But local dissension as to the religious management of the school was not excluded. It could only be excluded by a regulation far more sweeping, far more restrictive, and which neither the House nor the Ministry would be prepared to advocate. He did not think that it was to avoid dissension that this change was demanded. The opponents of denominational education themselves—only an education sect or party—claimed to be the whole people. They demanded that their principles should prevail not only where the majority of a district desired it, but where the majority repudiated them altogether. They wished, in fact,

*The Duke of Marlborough*



to establish an undenominational ascendancy in districts where the people were denominational. Now, he regarded these pretensions as grasping, unjust, irrational. He considered that they had been exposed and torn to pieces by the Vice President of the Council in his speech on the subject. And it was to be regretted that he and the Education Department, abandoning the views he had eloquently and convincingly upheld, should have altered this clause in accordance with the fallacies which he had overthrown. The Amendment which he ventured to propose was one which fell far short of the latitude of the clause originally introduced. It only suggested that where a majority of the ratepayers expressed a desire that the restrictions on religious teaching should not apply, their wishes should not be thwarted by the opinions of a small minority among themselves, or the theories of a political sect elsewhere. In a later clause of the Bill the school Boards, which were here restrained from giving certain teaching to children willing to receive it, were empowered to compel the attendance of the children of unwilling parents. If both these clauses were retained, it would appear certainly to support the admission of the Government that their Bill was neither logical nor consistent. He urged the Government and the House to remedy in some degree this blemish, and, as the words he moved proposed, allow respect to be shown to the wishes of localities, when expressed by unmistakable and decisive majorities. They thus might modify the evil of a clause which was both unjust and insufficient, but for which the Government were not originally responsible, which was contrary to their better judgment, and which was only adopted in deference to a clamour undeserving of the respect it received.

*Amendment moved, page 6, line 14, insert—*

*"Unless a majority of ratepayers of the school district petition the Education Department in favour of such teaching."—(The Lord Colchester.)*

EARL DE GREY AND RIPON said, he was unable to accept the Amendment, which would only re-open that difficult question which induced the other House to adopt the change in the Bill embodied in this section.

THE BISHOP OF GLOUCESTER AND BRISTOL desired the noble Earl to explain the meaning of the sub-section, for at present he was in doubt between two opinions—would it be allowable to teach any religious catechism or religious formulary which was not distinctive of any particular denomination—for instance, would it forbid the teaching of our duty to God and our duty to our neighbour, because that duty was inculcated in the Church Catechism; or whether it merely forbade the teaching of a Church formulary as such?

EARL DE GREY AND RIPON was understood to say the section would forbid the teaching of the Church Catechism as such.

THE BISHOP OF LINCOLN asked whether it would forbid the teaching of the Lord's Prayer, which, although in the Church Catechism, was common to all Christians?

THE BISHOP OF GLOUCESTER AND BRISTOL said, the noble Earl's explanation was unsatisfactory.

THE MARQUESS OF SALISBURY said, the Government appeared to have tried to reconcile conflicting sides by using words which neither side could understand, and when they had done that they announced they had effected reconciliation. The result was it was impossible to give any clear legal definition of the 2nd sub-section; it would be differently interpreted in all places, and each set of disputants would submit their case to the Committee of Council; and the utter absence of definition would give the Committee an absolute and despotic authority in determining the matter. As a matter of fact, the use of the word "distinctive" would admit the Lord's Prayer and the Apostle's Creed, because they were common to the Presbyterian as well as the Church of England, and not "distinctive of any particular denomination."

THE LORD CHANCELLOR said, this Act would be interpreted, as all Acts were, according to the reasonable meaning of the words. If a man was found teaching the contents of the Church Catechism in a sectarian spirit or as a formulary he would be checked.

*Amendment negatived.*

*Clause agreed to.*

*Clauses 15 and 16 agreed to.*

[Committee—Clause 14.]

Clause 17 (Fees of children).

LORD LYTTTELTON moved the omission of the words, "the whole or any," in order to prevent school Boards from defraying the whole of the school fees of children whose parents were too poor to pay them.

THE DUKE OF ARGYLL opposed the Amendment. No doubt it was not desirable that the Board should give education gratuitously where it was possible for the parents to pay towards it. In Scotland the parochial Boards were authorized to give free education to the children of parents who were unable to pay for it; and under this clause, which was very carefully worded, the same discretion was given to the school Boards to be created by the Bill.

Amendment *negatived*.

Clause *agreed to*.

Clause 18 (Maintenance by school Board of schools and sufficient school accommodation).

THE EARL OF HARROWBY moved an Amendment, to the effect that the school Board might remit the whole or part of the fee in the case of a child whose parents were unable to pay the same—

"With the sanction of the Education Department, if no offer is made with the sanction of the said Department by any body of managers within six months to undertake the same without assistance from the rates."

EARL DE GREY AND RIPON opposed the Amendment.

Amendment *negatived*.

Clause *agreed to*.

Clause 19 (Powers of school Board for providing schools.)

LORD HOWARD OF GLOSSOP moved the Amendment of which he had given Notice. He thought it was not the object of the Bill to prevent voluntary schools having a fair chance as compared with other schools. In towns like Middlesbrough, which had nearly tripled its population in 10 years, there must be ample room for voluntary action. Now, the plan he proposed was not a violent but a reasonable one. It was that a school Board for a district should have power to purchase land by compulsion, thereby placing it on an equality with the school Boards under the Bill. All he contended for was that voluntary education should be placed on a par, and no more, with the new system of educa-

tion which the Bill would establish. He begged to move the omission of the words "every school Board" at the commencement of the clause.

EARL DE GREY AND RIPON opposed the Amendment. He could not go so far as to assent to enable private and individual bodies to take land except by the process laid down in the Bill. Neither could he agree to a proposal to give them power to borrow money from the Public Works Loan Commissioners; moreover that was a proposition which the other House of Parliament would not be likely to accept.

Amendment *withdrawn*.

Clause *agreed to*.

Clauses 20 and 21 *agreed to*.

Clause 22 (Managers may transfer school to school Board).

LORD LYTTTELTON moved an Amendment—line 42, after "purpose," insert—

"Provided that in every case under this section the majority of those voting at any meeting to give effect to its provisions shall be not less than two thirds of those present at such meeting."

EARL DE GREY AND RIPON said, he had no objection to the Amendment.

Amendment *agreed to*.

Clause, as amended, *agreed to*.

THE DUKE OF MARLBOROUGH moved to insert a new clause between Clauses 22 and 23—

"If the ratepayers of any district in which a school shall have been transferred to a school Board shall at a meeting duly summoned for the purpose resolve that such school shall cease to be managed by the school Board, and there are trustees or other persons who in the opinion of the Education Department will represent the management of such school before it was transferred and who are willing to undertake the management thereof, the school Board may transfer to such trustees or persons such school, and convey and assign the schoolhouse and any other property belonging to such school vested in the school Board; but in every case such transfer shall be made only,—(1) with the consent of the Education Department; and (2) with the consent of a majority of the School Board; provided, that no money raised by rates shall be applied for the support of such school after the transfer thereof by the school Board."

He thought that schools transferred to school Boards should not be irremovably fixed, so that no opportunity could be afforded the managers of the schools to resume the control of them. He thought the clause would be as much in the interest of the ratepayers as of the managers.



EARL DE GREY AND RIPON said, he did not object to the principle of the clause; but thought that it would require some amendment at a future stage.

*Motion agreed to.*

*Clause inserted.*

Clause 23 (Alterations of regulations affecting management, &c.).

THE DUKE OF RICHMOND moved to omit the clause, on the ground that it gave a power in excess of any power given in any other part of the Bill, and which would operate injuriously against the parish schools.

EARL DE GREY AND RIPON said, the clause was not in the Bill when it was introduced in the House of Commons. There might be occasions in which it would be useful to have such a power vested in managers. He was willing to be guided by the sense of the House.

*Motion agreed to.*

*Clause struck out.*

*Clause 24 agreed to.*

Clause 25 (Establishment of free school in special cases).

LORD LYTTTELTON moved to omit the clause.

EARL DE GREY AND RIPON said, it was impossible to deny the existence of many districts where the inhabitants were too poor to pay school fees.

On Question, That the said Clause stand part of the Bill?—Their Lordships divided:—Contents 61; Not-Contents 65: Majority 4.

*Motion agreed to.*

*Clause struck out.*

*Clause 26 agreed to.*

Clause 27 (Establishment of industrial school).

THE EARL OF HARROWBY moved to insert after Clause 27—

“The school Board shall have the power of granting the use of rate-provided schools for the purpose of religious instruction or any other purposes except those of a place of religious worship, provided that such use shall not interfere with the ordinary school hours.”

EARL DE GREY AND RIPON said, he must oppose this addition.

Amendment (by leave of the Committee) *withdrawn*.

*Clause agreed to.*

Clauses 28 to 35—*Constitution of School Boards.*

Clauses 28 to 35, inclusive, *agreed to.*

Clauses 36 to 38—*School Board in Metropolis.*

Clause 36 (School Board in metropolis).

THE EARL OF CARNARVON moved an Amendment, giving to the metropolis the same six months' grace as was given to large towns and rural parishes. He could see no reason why Returns should not be made in London, as well as in every other part of the country, for no one could tell the amount of educational accommodation in the metropolis.

*Amendment moved.*

EARL DE GREY AND RIPON said, the reason for putting the Act in force at once in the metropolis was the pressing necessity for avoiding delay in the establishment of schools. The want of schools in the metropolis was so well known and acknowledged that it would be a waste of time to wait until inquiries had been made. The only effect of the Amendment would be to cause unnecessary delay in the formation of the school Board, and in ascertaining the educational wants of the metropolis.

THE DUKE OF MARLBOROUGH asked how the metropolis was to be rated? Would each district have to provide for its own wants, or would the rates be spread over the whole area?

THE EARL OF HARROWBY asked if the Government had made allowance for voluntary efforts?

EARL DE GREY AND RIPON said, the education rate would be levied over the whole area of London; and, even, if in one district the education should be sufficient, that district would be rated to supply the requirements of another district. It was impossible for voluntary efforts to supply the educational deficiency of the metropolis. The joint efforts of the school Boards and of voluntarism would be needed for many years to come to supply this deficiency.

Amendment (by leave of the Committee) *withdrawn*.

*Clause agreed to.*

Clauses 37 to 72, inclusive, *agreed to.*

Clause 73 (Attendance of child at school).

THE MARQUESS OF SALISBURY said, it was the height of absurdity to require children five years old to go to school. For himself he should never dream of educating a child of that age. It might be desirable to keep them out of mischief; but he begged his noble Friend to alter the limit of age from five to seven years.

THE EARL OF SHAFTESBURY proposed an Amendment altering the ages of children who should be required to attend school. The clause said that these children should be "not less than five years nor more than thirteen years." He proposed it should read, "not less than four nor more than ten years." It should be borne in mind that the exercise of such power was at the discretion of the local authorities. The great object should be to make the Bill as acceptable and palatable as possible—to take from it all that might be alarming. The measure was tentative and experimental. Now, in the London ragged schools there was a vast number of children not much more than two years old. They were not subjected to teaching, but they were brought by older children, were taught habits of order and regularity, and went through some few motions of physical exercise. Now, if the little girls of six years of age were taken to school, who, when the mother went out charing—and go she must in many cases—would take care of the younger ones? The neglect, the dirt, and danger in which these little things passed their lives was lamentable. In many parts of the manufacturing districts children of five, four, and even three years of age were put to continuous labour, and it was only that very day that he had heard of a child of two years of age who had gone through a large amount of work. Now, the Workshops Act was no protection to those children, because they toiled in the houses of their parents, and the only protection which could be given them was that they should be placed under the care of the school Boards. In London the number of employments in which children were engaged under 10 years of age was very small. That was, however, the age at which they began to be employed, and at which parents expected to gain something by their labour. If, therefore, it were to be insisted on in the Bill that those children were to attend at school from 6 to 13, for the purpose of being educated, a perfect panic would be created

throughout the country. The parents would believe that the children were to be taken whether they wished or not, and that they would not only lose their services, but would be obliged to provide for their maintenance while they continued to go to school. The extent to which persons in London depended on the labour of their children their Lordships could scarcely be aware of, and it was impossible that a man could maintain a wife and family on 9s. or 10s. a week, unless he was assisted by such labour. If, however, a motive such as that embodied in his Amendment were held out to the parents it would be the means, while securing the education which was required, of leaving them the services of their children. It would to a certain extent be effecting that which it was proposed to effect by the Factory Acts, and until that principle was introduced—the combination of labour and study—he did not think the Legislature would be justified in saying that parents should be altogether deprived of the services of their children from the age of 6 to 13. At the outset, therefore, it was, he contended, desirable that the limit should be fixed at 10 years; if that was not found to answer it might be afterwards extended to 12 or 13. He found, during a visit to the Potteries, a great number of children, some on half-time and some who did not work at all, but went regularly to school; but the masters had told him that the half-time children from Lancashire were superior intellectually to those who were engaged in studying the whole day. Various Returns in the higher standards furnished evidence of a similar result. Let them, therefore, do all that they could to introduce a system which had operated so successfully; but until they had introduced it to a certain extent it would, he maintained, be unjust that up to the age of 13 parents should not be allowed to derive any benefit from the labour of their children. He was the more anxious to make the Bill acceptable because he saw that the principle that the State should provide education would work so rapidly that in the course of a short time thousands of children would be thrown on the streets who were now receiving a certain amount of care and instruction. He was informed that within the last few days three ragged schools, containing over 1,000 children, were to close on



the 29th September, because it was believed the Government intended to take charge of all the poor children. He was anxious, therefore, that when voluntary efforts ceased the operation of the Bill should be made as easy and effective as possible.

Amendment proposed, in sub-section 1, line 34, to leave out ("five") and insert ("four"), and leave out ("thirteen") and insert ("ten.")—(*The Earl of Shaftesbury.*)

LORD LYVEDEN said, he could hardly imagine that the school Boards would resort to a system of compulsion; and even if they did he doubted whether the magistrates would enforce it. In his judgment this clause would be the most unwise and impracticable one in the Bill, and he should like to see it omitted altogether.

THE BISHOP OF EXETER said, he was satisfied that efficient instruction could be imparted to infants, and submitted that, as the time allowed for the education of children was exceedingly short, it was of great importance that they should begin to be taught at an early age. In answer to the arguments urged by the noble Earl, he would remind their Lordships that the power to compel the attendance of the children was only a permissive one, and that it might be desirable in some localities to continue the education to the age of 13. Again, the power of compulsion was to be exercised by Boards elected to a large extent by the parents of the children, so that it would be no easy matter to adopt the compulsory system, if the parents were opposed to it.

THE EARL OF HARROWBY remarked that under the clause the school Boards might select any limit of age they pleased provided they did not go lower than five nor higher than 13 years. If we were to have compulsion at all he did not see how it could be put on any other basis.

LORD LYTTLETON thought this permissive compulsion was one of the most unwise things that had ever been attempted. He doubted whether those who were most zealous to carry it out would not grievously fail in doing so, and thereby bring discredit on the cause of compulsory education, which he had himself advocated for many years. He objected to the clause because the indefinite powers conferred by it would in many instances

be vested in persons utterly incapable of exercising them in a proper and judicious manner.

THE DUKE OF RUTLAND said, it would be found impossible to carry out the system of compulsory education up to the age of 13. Boys from 10 to 13 were of great use to the farmers. A boy 10 years of age could earn 6d. a day. This amounted to £8 a year; and where a man had six boys they together could add £50 a year to the labourer's income. To cut off such a sum from the income of a man with 10s. a week and a family, was a hard matter.

EARL DE GREY AND RIPON pointed out that the clause simply would not allow compulsion to be exercised on children of lower age than five or higher age than 13; the Boards could fix on any ages within these for the limit. The Amendment of the noble Earl wholly or partially exempting children who had reached a certain standard of education from compulsion he willingly accepted.

Amendment *negatived.*

Amendment proposed, at end of clause insert—

("Provided, that any bye-law under this section requiring a child between ten or thirteen years of age to attend school shall provide for the total or partial exemption of such child from the obligation to attend school if one of Her Majesty's inspectors certified that such child has reached a standard of education specified in such bye-law.")—(*The Earl of Shaftesbury.*)

Amendment *agreed to.*

LORD COLCHESTER urged the rejection of the clause.

Clause, as amended, *agreed to.*

Clauses 74 to 93, inclusive, *agreed to.*

## PART II. PARLIAMENTARY GRANT.

Clause 94 (Conditions of annual Parliamentary Grant).

THE EARL OF POWIS moved an Amendment, in page 36, line 12, after "school" insert—

"Or that it shall be carried on by a teacher certificated by the Education Department."

EARL DE GREY AND RIPON hoped their Lordships would not assent to the Amendment.

Amendment *negatived.*

Clause *agreed to.*

THE MARQUESS OF SALISBURY moved to add, at end of Clause 94—

"Provided, that no conditions shall be required to be fulfilled by an elementary school in order to

obtain an annual Parliamentary Grant by any Minutes of the Education Department not in force at the time of the passing of this Act, unless such Minutes shall have been laid for six weeks upon the Table of both Houses of Parliament and shall not have been objected to in an Address to Her Majesty from either House."

Were the clause to be passed as it stood it would be competent for the Privy Council to turn the compromise secured by the Church of England, after what, he must confess, was a severe battle, into a complete defeat. The Amendment he proposed would give that body some security that the results they had obtained should not be destroyed at the caprice of the Executive for the time being.

EARL DE GREY AND RIPON said, he was willing to accept the first part of the Amendment; but he did not think the House of Commons would approve the regulations of the Privy Council being set aside by a single vote of the House of Lords. He had no objection to accept the Amendment, provided the noble Marquess would make it necessary that the Address should be agreed to by both Houses.

THE MARQUESS OF SALISBURY said, he must ask the House to consider his proposal as a whole, because without it the security for the future of the Church of England would be very precarious indeed.

*Amendment agreed to.*

*Clause, as amended, agreed to.*

*Remaining clauses agreed to.*

*First Schedule.*

THE EARL OF CARNARVON moved to add another column, showing the amount of rate levied for school purposes exclusively.

*Amendment agreed to.*

*Second Schedule.*

THE DUKE OF RICHMOND said, that having addressed the House upon the subject of the mode of election proposed by this Schedule at some length upon the second reading of the Bill, he did not propose to make many observations on the subject on the present occasion. He did not think that election by Ballot was a mode fairly applicable in the present case. As the Schedule stood it was provided that—

"Any poll shall be taken by ballot in accordance with the principles upon which a poll is taken under the Metropolis Management Act, 1855."

He proposed that in lieu of the fore-

*The Marquess of Salisbury*

going words, there should be inserted words providing that in the metropolis the poll should be taken in like manner as votes are now taken under the Metropolis Management Act of 1855, and that in other districts it should be taken in like manner as the poll is now taken of burgesses or ratepayers in the election of town councillors or guardians, as the case may be. If this Amendment were adopted, the votes in the country districts would be taken as the votes for Poor Law Guardians had been taken for many years past.

*Amendment moved to leave out from ("taken") to the end of the paragraph, and insert—*

("In the Metropolis in like manner as a poll is taken under the Metropolis Management Act, 1855, and shall be taken in any other district in like manner as a poll of burgesses or ratepayers (as the case may be) is usually taken in such district.")—(*The Duke of Richmond.*)

EARL DE GREY AND RIPON said, he would not delay their Lordships at that late hour by going at any length into the circumstances under which the Ballot system had been introduced into the Bill. He was sorry he could not agree to the Amendment. He did not regard taking the votes by Ballot in the same sense the noble Duke did, but as a convenient mode of conducting these elections. Its adoption in this Bill would have the advantage of shielding the voters from the pressure of political leaders or the leaders of any particular religious denomination, who wished to see a man elected on the Board not from his educational merits, but solely from his connection with a particular party or denomination. He believed it was by no means an imaginary danger, considering that an amount of denominational heat had been expressed in reference to this Bill that he had not expected to see exhibited in these days.

THE EARL OF SHAFTESBURY regretted that the mischievous word "Ballot" had been introduced into the Education Bill. He detested secret voting. He had never blackballed a man but once, and then he told him of it immediately after.

On Question, That the words proposed to be left out stand part of the Schedule?—Their Lordships *divided*:—Contents 53; Not-Contents 72: Majority 19.

*Words struck out.*



Then the words—

("In the Metropolis in like manner as a poll is taken under the Metropolis Management Act, 1855, and shall be taken in any other district in like manner as a poll of burgesses or ratepayers (as the case may be) is usually taken in such district,")

*inserted in lieu thereof.*

Schedule, as amended, *agreed to.*

Preamble.

VISCOUNT STRATFORD DE REDCLIFFE, referring to the question he had opened upon a previous clause of the Bill, moved to insert—

"Whereas it is most desirable to extend the advantages of education throughout the whole compass of England and Wales in such manner that no one shall be excluded from any elementary school by reason of religious scruples, and also to consider religious instruction grounded on Christian principles as the true complement of sound elementary education."

EARL DE GREY AND RIPON asked his noble Friend not to press the Amendment, which was undesirable—besides which there had been a practice of late years to dispense with long Preambles that had no enacting power. He could not agree with the statement that there was not in the Bill any provision as to religious instruction, although it was not set out in so many words. The words proposed might raise questions which it would be undesirable to discuss.

THE MARQUESS OF SALISBURY said, he did not think the noble Earl was justified in dealing with the Preamble as a formality after the animated conflict which took place on the Preamble to the Bill of last Session. In the present state of the House he did not think that his noble Friend could press his Amendment; but he thought the words proposed would give a more satisfactory interpretation to the Bill. The Government might accede to words which they themselves confessed could not do any injury.

Amendment (by leave of the Committee) *withdrawn.*

Preamble *agreed to.*

The Report of the Amendments to be received on *Monday* next, and Bill to be *printed*, as amended. (No. 262.)

#### PETROLEUM BILL [H.L.]

A Bill to amend the Petroleum Acts 1862 and 1868—Was *presented* by The Earl of MORLEY; read 1<sup>st</sup>. (No. 265.)

House adjourned at a quarter past One o'clock, a.m., to *Monday* next, a quarter before Four o'clock.

## HOUSE OF COMMONS,

*Friday, 29th July, 1870.*

MINUTES.] — SELECT COMMITTEE — *Report* — Kitchen and Refreshment Rooms (House of Commons) [No. 395]; Abyssinian Expedition [No. 401].

SUPPLY—*considered in Committee*—NAVY ESTIMATES; CIVIL SERVICE ESTIMATES.

*Resolutions* [July 28] *reported*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*Ordered—First Reading*—Truck Acts \* [252]; Expiring Laws \* [253]; Sanitary Act (Dublin) Amendment \* [254].

*Second Reading*—Canada (Guarantee of Loan) [225].

*Committee*—Census (Scotland) \* [234]—R.P.

*Committee—Report*—Public Schools Act (1868) Amendment \* [200]; Petty Sessions Clerk (Ireland) Act (1858) Amendment \* [236]; Matrimonial Causes and Marriage Law (Ireland) \* [223]; Real Actions Abolition (Ireland) \* [242]; Pensions Commutation Amendment \* [244]; Norfolk Boundary \* [217]; Census (Scotland) \* [234].

*Considered as amended—Third Reading*—Brokers (City of London) \* [71], and *passed.*

*Third Reading*—Census [211], and *passed.*

*Withdrawn*—Burials (re-comm.) \* [123].

The House met at Two of the clock.

#### ARMY—SMALL ARMS.—QUESTION.

MR. MILLER said, he would beg to ask the Secretary of State for War, Whether it is proposed to make a change in the principles on which the locks of our military arms have hitherto been constructed, by adopting a spiral main spring in lieu of a main spring of the usual construction; and, if so, whether that change has been recommended by the Superintendent of the Small Arms Factory, or other competent mechanical opinion, or whether it has been recommended by a Military Committee alone?

MR. CARDWELL: Sir, the Henry-Martini lock acts with a spiral spring. The Henry-Martini rifle has been provisionally, but not finally, adopted. The Committee took the opinion of the Superintendent of the Small Arms Factory and other competent mechanical opinions before recommending the arm, and I have determined to add to the Committee, before it makes its final Report, a civil engineer eminent for his mechanical knowledge.

#### MEDWAY UNION.—QUESTION.

MR. P. WYKEHAM-MARTIN said, he wished to ask the Secretary to the Treasury, Why the money usually paid

in the month of May by the Government towards the rates of the Medway Union has not been paid; and, whether he can state when such money will be paid?

MR. STANSFELD said, in reply, that the time when the money would be paid depended on the period when the accounts of the Union were audited.

#### PRIZES OF WAR.—QUESTION.

ADMIRAL ERSKINE said, he wished to ask the Under Secretary of State for Foreign Affairs, If the Decree, a Copy of which appears in "*The Times*" of the 28th July, and in which Prussia renounces her rights as a belligerent to capture or seize as prizes of war French merchant vessels, except under circumstances which would render neutral vessels liable to capture, is authentic; and, if the French Government have sent to Her Majesty's Government the Instructions to their Consuls regarding French and Prussian merchant vessels, as promised to the Secretary of State for Foreign Affairs previous to the 21st instant?

MR. OTWAY said, in reply, that he had not a copy of *The Times* by him at the moment; but he saw in *The Times*, either yesterday or the day before, an authentic copy of the Prussian Instructions, and he presumed it was to that publication that the hon. and gallant Gentleman referred. With respect to the second part of the Question, the Foreign Office had no specific communication of the Instructions sent to French Consuls by the French Government, and had already published everything received from the French Government relating to the subject. He found in page 72 of the Papers laid before Parliament a translation from the *Journal Officiel*, and it contained a statement of the intentions of the French Government on this subject. He wished to draw the attention of the hon. and gallant Gentleman to the following sentence:—

"As concerns merchant-vessels belonging to the enemy which may be actually in the Ports of the Empire, or which may enter these Ports in ignorance of the state of war, His Majesty has been pleased to order that they shall have a delay of 30 days for leaving these Ports. Safe-conducts shall be delivered to them to enable them to return freely to their Ports of despatch or to the Port of their destination."

In page 73 there was another communication from the French Ambassador in London to Lord Granville, which con-

tained a repetition of the declaration of the Congress of Paris in April, 1856.

#### TURKEY—BRITISH EMBASSY AT PERA. QUESTION.

MR. MONK said, he wished to ask the Secretary to the Treasury, Whether a Report has been received at the Foreign Office from Major Crossman as to the probable cost of rebuilding and refitting the British Embassy at Pera; and, if so, whether he will lay a Copy of that Report upon the Table of the House?

MR. STANSFELD replied that three letters had been received from Major Crossman announcing that he had arrived at Constantinople and given his attention to the state of the building at Pera, and he furnished a rough estimate of the cost of rebuilding, which was put at £50,000; but he did not think it would be fair to Major Crossman to lay that rough estimate on the Table.

MR. MONK said, he wanted to know whether the Government will give an assurance that they will not enter into a contract for rebuilding the Embassy at so large an expense without first laying an estimate before the House?

MR. STANSFELD said, his impression was that the Government ought to have the sanction of Parliament. The difficulty was in its being a long time before they could obtain it. Perhaps his hon. Friend would repeat his Question to-morrow.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### COAL FOR THE NAVY.—OBSERVATIONS.

MR. FOTHERGILL said, he rose to call attention to the quality of steam coal in use by Her Majesty's Steam Fleet. Experiments had been going on for some time with a view to effect economy or improvement by the mixture of north country smoky coal with the smokeless coal of South Wales, and at this period of the Session he would not have interfered, satisfied as he was that these experiments would end in failure, if the events of the last few days had not given a new aspect to the question. The present was not a time for hazardous ex-



periments with respect to the motive power of the steam vessels of the Navy. They had got the finest steam coal in the world: let them make use of it, and keep their experiments for another time. Let them remember what Admiral Napier wrote home from the Baltic—"Send me out Welsh coal, or I cannot be responsible for the safety of the fleet." It might be thought that he was representing Merthyr Tydvil and Aberdare, the seat of this coal, and he might be thought an interested party. But the truth was that the contract with the Navy was not so important as it was supposed to be. Out of the 3,000,000 tons of coal annually raised in the district the Navy only took about 200,000. His own collieries would supply four times the amount of coal consumed by the Admiralty. He hoped, therefore, he might be acquitted of any selfish feeling in having brought forward this subject. He raised it altogether as a national question. It was a fascinating idea that great economy might be effected by the mixture of the two coals. He understood that a series of experiments with mixed coal had been carried on on board Her Majesty's ships *Urgent* and *Lucifer*, and that the conclusion drawn from these experiments was a recommendation in favour of the mixed coal, on the ground of economy. Now he had for the last 17 years devoted his attention to mixing coal, not exactly with the same object as the Admiralty, but for coking purposes. He wished to utilize the screenings of the coal, which up to that time only encumbered the banks, and he found that commercially the mixture was a great success; but with the best mechanical arrangements it was scarcely possible on a large scale to mix different kinds of coal successfully, so far as the Admiralty was concerned. If the mixture were left to stokers or engineers it could not be effectual. The result would be that a column of smoke would pour out of the funnel of a steamer and remain visible in the atmosphere for hours, acting as an unerring guide to an enemy. The Welsh coal was a steam coal mixed by nature and of a perfect character—the very best to be found in the world. The geological formation of the Welsh coal basin was a peculiar one. At the western extremity it consisted of anthracite or stone coal, a mineral very difficult to burn, and to the east of a highly bituminous coal. It was in the intermediate district—the Merthyr

and Aberdare fields—that coal best suited for steam purposes was to be found. Each lump, when in a state of combustion, opened like a cauliflower—and indeed, in the French market, it was termed the cauliflower coal—and it burned with a most remarkable fierceness and duration, owing to its being almost pure carbon. When it was remembered that we had this coal of surpassing quality, and in unlimited quantity, he ventured to think the Admiralty should be content to use it and postpone their experiments. He highly appreciated the efforts of the First Lord of the Admiralty and the hon. Member for Montrose (Mr. Baxter) to promote economy; but being convinced that the mixing of coal would be practically disadvantageous, he had thought it his duty to call the attention of the House to the subject.

MR. T. E. SMITH said, being connected with the north country coal districts, he must protest against Parliament expressing any opinion that Welsh coal was superior to north country coal. There was no evidence to show that the Welsh coal was superior to the mixed coal. The north country and Welsh coal mixed might be burnt with less smoke than the ordinary Welsh coal. The mixture of the two kept steam very well; but the north country coal kept steam perfectly. If there was any failure of steam the service of the country could not be carried on efficiently. One great advantage of the north country coal was that it would keep much better than the Welsh coal, which soon became deteriorated and unfit for the service. A large percentage of the Welsh coal, when exposed to a hot sun, turned into dust, which was perfectly useless. That was a great disadvantage to vessels going on foreign stations; but that dust, mixed with north country coal, made a most excellent fuel. Captain Rice's Report of the trials on board the *Lucifer* showed that the two coals mixed in equal quantities were as good as the best Welsh coal. There was no insuperable difficulty in the mixing. It might be carried on with ordinary care, and would produce a saving of 15 per cent in the cost, and give an increased power by 7 per cent. One undisputed quality of the north country coal was that it could get up steam more quickly than the Welsh coal, and nothing was of more consequence than this to a vessel desirous of pursuing or avoiding an enemy.

MR. HUSSEY VIVIAN said, the hon. Member (Mr. T. E. Smith) had read the results of the experiments, but not the governing clause. The savings which he attributed to the mixture of coal were due simply to the use of a particular kind of furnace. There was a positive saving of from 12 to 14 per cent upon Welsh over north country coal. The hon. Member had said that the Welsh coal disintegrated and became useless. Now, a Return which was obtained upon his (Mr. Hussey Vivian's) Motion last year of the coals burnt in Her Majesty's Navy during the six months ending June, 1869, showed that out of 700 Reports received from ships in all parts of the world, there was but one Report in which complaint was made of the Welsh coal.

MR. T. E. SMITH said, that his remark was not that Welsh coal became unfit for use, but that a large portion of it turned to dust.

MR. HUSSEY VIVIAN said, that it was somewhat curious that in the Returns no mention was made of that specific fact. The hon. Member appeared to think that mixing coal out of different bunks was a very easy matter. The stokers, however, were the very lowest class of persons employed on board a ship of war, and could not be expected to exercise any very nice discrimination as to the quantities in which coal ought to be mixed. Moreover, in hot climates, the mere manual labour would give them quite enough to do without thinking of mixing the coals at all. He himself had considerable experience in this matter, and attempts to mix coal had given rise to some of the greatest difficulties which he ever had to contend with. Experiments had been made at different times from 1848 to 1868 as to the relative values of Welsh and north country coal. Those made between 1848 and 1852 showed the great advantages of the Welsh coal; those made in the years 1862 and 1867 showed the superiority of the Welsh coal over the mixed coal; and, up to the time at which the present Board of Admiralty came into Office, the results of these experiments had led to the use almost exclusively of the Welsh coal. He wished to know on what the present Board of Admiralty based the change which marked its advent to power; because, unless the Board had in its possession some evidence with which he was unacquainted,

he thought it conclusively proved that no such change was called for. The experiments made on board the ships *Urgent* and *Lucifer*—which, by the way, were experiments not so much upon coal as upon furnaces—clearly showed that the result of using Welsh coal alone was a freedom from smoke during three-fourths of the time over which the experiments extended, while the mixed fuel produced during two-thirds of the time a smoke so dense as to prevent the signals being seen. When first lighted it gave off for several minutes a dense black smoke, which changed afterwards to a brown smoke. It had not been shown, he would remark further, that the use of north country coal decreased the consumption; but, on the other hand, the Report stated that the amount of north country coal burnt per hour was one-eighth in excess of the consumption of Welsh coal. The saving in the use of Welsh coal over mixed coal was 17·5 per cent, and the gain in revolution was 6 per cent; so that, in effect, the loss occasioned by the use of mixed coal amounted to 17½ per cent. Then, again, Admiral Cooper Key said the annual expenditure would be increased by the use of north country coal in large proportions, while it occupied about 4 or 5 per cent more space than that taken up by Welsh coal. "I think, however," said the Admiral, "that the proportions now adopted in the service will be found very suitable." [MR. T. E. SMITH: Hear, hear!] The hon. Member might say "Hear, hear;" but how could he show the last statement of Admiral Key to be consistent with his former ones? Certainly, the amount of smoke produced by the mixed coal had been diminished by the use of intricate and finely contrived devices applied to the furnaces; but these, he thought, would not stand the wear, tear, and hurry of actual service. After all, he would ask, why they should struggle against nature? Nature had provided the country with the very best fuel in the world; and the Government was seeking, for some occult reason which passed his understanding, to violate the laws of Nature, and to use a fuel which was, without doubt, of a most inferior character. He had got a Return of some 700 trials, and the commanders of Her Majesty's ships invariably reported in favour of Welsh coal. It was not the consumption by the Admiralty that their

*Mr. T. E. Smith*



constituents regarded; but it was the stamp put upon the coal which Her Majesty's Navy used. If there was a trial at all let it be a practical one. Let two ships be supplied—the one with Welsh and the other with mixed coal or north country coal—and sent across the Atlantic, and then it would be seen which was the better; but a trial of five or six hours was not sufficient. The experience of the world showed the superiority of the Welsh coal. The great steam companies, whose vessels carried passengers and mails, never dreamt of using these mixtures; they got the best coal, and that was the Welsh. What happened at the measured mile? Had his hon. Friend ever heard of a vessel taken to the measured mile to be tried and any other coal used but Welsh coal? But this was what was done—They tried a vessel at the measured mile; she made her 14 or 15 knots an hour, and then they put this inferior coal on board and immediately brought down her speed. All things being equal, and there being a saving of 12 or 15 per cent by the use of Welsh coal, there must be some very strong reasons indeed to justify the use of any other. This was a time when it was important that the ships of Her Majesty's Navy should be placed in the very best position. When this kind of unnatural alliance was forced upon them they must protest against it, and he trusted the right hon. Gentleman (Mr. Childers) would grant a divorce from an alliance which they detested and abhorred.

MR. CHILDERS said, his hon. Friend (Mr. Hussey Vivian) had asked—"Why struggle against nature? What has induced you to take one kind of coal when you can get another?" The answer was very simple. The particular district which his hon. Friend represented produced only about 1-50th of our coal, and the policy he advocated would exclude the rest of the country, which produced 49-50ths. Unless, therefore, it was shown to be absolutely necessary to go to this small district exclusively, he was not prepared to establish such a monopoly. The debate, however, was premature. Certain experiments had been made, and immediately on their completion he laid upon the Table an abstract of the Reports, with a note stating that they had been presented without tables or sketches, as these would take some time to print; but in the course of a few

days the tables and sketches would also be produced. Subsequently his right hon. Friend the Member for Tyrone (Mr. Corry) gave notice that he would move for Returns for the last six months showing the opinion of officers on the two classes of coal. Returns would be made up to the end of June; and his right hon. Friend saw it was impossible to bring on the subject this year, so he postponed doing so until next Session. But now the hon. Member for Merthyr (Mr. Fothergill) challenged the Admiralty to prove their case upon Returns which were not before the House. His hon. Friend the Member for Merthyr and his hon. Friend who had last spoken had been good enough to say that in the orders the Admiralty had given about the coal they had endeavoured to carry out those pledges of economy which Her Majesty's Government had given on coming into Office, but they had not done so in a wise manner. It was satisfactory, at any rate, to know that the Admiralty were trying to do the best for the public; but he hoped to show, when the subject could be fully discussed, that they had succeeded. But at present he hardly knew what to answer. The class of naval stokers had been spoken of somewhat disparagingly; but his hon. Friend was entirely mistaken as to their position in the service. The chief stokers were well-educated and intelligent men, and the ordinary stokers were by no means of the class described by him. Again as to the experiments to which the hon. Member for Glamorganshire (Mr. Hussey Vivian) had alluded, these were only two single experiments conducted by Captain Rice in May 1869, when the changes in the furnaces had not been made; whereas if he would refer to the subsequent Papers he would see that the experiments carried on under Mr. Murdock, the Chief Inspector of Machinery Afloat, were 114 in number, and extended over 14 months, from May, 1869, to July last. As far as their experience up to the present time went, the Reports were conclusively in favour of the course which had been provisionally taken of using one-third of north country coal and two-thirds of Welsh coal. He might say generally, according to the accounts they were receiving from foreign stations, Welsh coal deteriorated more rapidly than north country or mixed coal, and with Welsh coal unmixed it was often more dif-

cult to get up and keep up steam than with the mixture in those proportions. The Government had not the smallest objection to lay on the Table all those most valuable half-yearly Returns, and would be perfectly prepared next year, when the House would have more information in its possession, to discuss that question fully. The hon. Member for Merthyr had observed that at the present time—for reasons which he hinted at rather than named—it was particularly important that they should have the best coal they could get, and which produced the smallest amount of smoke. All he could say on the part of the Government was that they were quite alive to that consideration, and would be very cautious not to be led astray by temporary experiments in a matter of that kind into doing anything which would be prejudicial to the Navy. Of course, he did not intend by that that the policy recently adopted on this subject would be lightly reversed. He merely meant that the Admiralty had no object in view but the public interest and the efficiency of the Navy.

NAVY—THE “CAPTAIN” AND THE  
“MONARCH.”—QUESTION.

MR. SAMUELSON said, he wished to ask, Whether it was the intention of the Admiralty to continue the experiments between the *Captain* and the *Monarch*? He believed that the *Captain* had been sent out alone.

MR. CHILDERS said, that the *Monarch* and the *Captain* went out together for trials with the Channel Fleet, which was under the command of Sir Thomas Symonds, and some of these trials were made in June last. As an exception to the rule which was deemed very valuable, but for reasons which he need not then discuss, the Admiralty did not object to lay on the Table Sir Thomas Symonds's Report of those preliminary trials. The *Captain* since then had been to sea by herself, and therefore had not been under the eye of any superior officer. It was always customary for ships of that class to go on a few weeks' cruise by themselves; but it would be unnecessary to lay any Report of this cruise on the Table. The *Captain* and the *Monarch* would both shortly go to sea again under Sir Hastings Yelverton to join Sir Alexander Milne, who would carry further these trials; and, on their return, they

would probably be again sent to sea together before their trials could be deemed completed. When the Admiralty had received the final and complete Reports on their comparative merits and performances, they would consider them very carefully. After arriving at their conclusions the Admiralty would communicate them to Parliament, with such information and extracts from the Reports as might be necessary to elucidate their views. At the present moment he could not lay on the Table any special Report.

Question “That Mr. Speaker do now leave the Chair,” put, and *agreed to*.

NAVY ESTIMATES.

SUPPLY—considered in Committee.

(In the Committee.)

(1.) £73,150, Medicines and Medical Stores, Naval Service.

MR. RUSSELL GURNEY said, in the absence of the hon. Member for Manchester (Mr. Jacob Bright), he rose to propose the Motion of which the hon. Member had given Notice, which was to reduce the Vote by £3,700, in respect of the expense of carrying out the Contagious Diseases Act. He took no objection to the Vote generally, and he agreed that, whatever opinion there might be about these Acts, as long as they were in force it was necessary that money should be voted for carrying them out. But it had been arranged this Session that there should be an inquiry into the effects of these Acts, and he thought the Government ought to have held their hands, and not to have extended the operation of the Acts until the result of the inquiry was known. This had not been the policy pursued, for with respect to Southampton he was able to say that while up to the time that the arrangement named was come to no single step had been taken to carry out the Acts, since the arrangement was come to, they had been put into operation, notices had been issued, and ground had been purchased for the building of a hospital. He, therefore, moved the reduction of the Vote.

MR. CHILDERS said, the Act of 1869 imposed upon the Government the obligation of extending the Acts to Southampton, and all the arrangements for so extending them were made before the Arrangement for an inquiry was come to. Of course, with an inquiry pending it would be unreasonable to proceed with the erection of a permanent hospital. The

*Mr. Childers*



purchase of the land had been virtually settled previously to the recent debate, but no further steps had been taken, and arrangements had been made for sending away any who required hospital treatment to Portsmouth.

MR. HENLEY said, he understood that no steps would be taken to extend the operation of these Acts to places where they were not now in force. With or without the wish of the Government all discussion upon the subject had been stifled in that House. A Commission of Inquiry had been promised. It was of the greatest importance that the public should believe in the honesty of the inquiry, and that the Government should not do anything which would indicate a foregone conclusion, as it would do if they extended the operation of the Acts to new places. He, therefore, hoped the Government would give an assurance that the operation of the Acts would not be extended until the Report was made.

MR. CHILDERS said, the Government had steered clear equally of the two foregone conclusions that were possible; they had done no more than they had made arrangements to do, under the Act of 1869, before the conclusion arrived at as to a Commission; and at some inconvenience they had made arrangements to suspend for the present the building of a hospital for Southampton.

MR. RUSSELL GURNEY said, that, of course, he was satisfied with the assurance of his right hon. Friend that the hospital would not be built; but that he still thought that as notices had been issued in Southampton when the inquiry was conceded, the Act should not have been put in force until the result of that inquiry was known. No notices had been sent out in Southampton before the inquiry was conceded.

MR. CHILDERS said, they were on the point of being issued, and it would have indicated a foregone conclusion to have withdrawn them, all other steps having been completed.

MR. McLAREN said, he wished to know when the Returns of the expenditure incurred under the Act, which he had moved for a few months ago, would be laid on the Table?

MR. CHILDERS said, the Returns were extraordinarily minute; but they would be laid on the Table as soon as possible.

Amendment, by leave, *withdrawn*.  
Vote agreed to.

(2.) £237,340, Army Department  
(Conveyance of Troops).

MR. NORWOOD said, he wished to call attention to the change made in the mode of engaging transports. During the last few months the old system of putting up the transport of stores to tender had been abandoned, and the engagement placed in the hands of agents in the City. He held that the transport service of the country was too important to be placed entirely in the hands of any single firm, however eminent or respectable they might be. Such a procedure did great injustice to shipowners, who were thus unable to compete for the discharge of the duty, and who not unnaturally complained of their exclusion. An influential memorial had been presented to the Admiralty on the subject, signed by nearly 100 firms of the highest importance in the City of London, which stated that the old system of engaging transport was essentially the best, and prayed the Admiralty to revert to it as soon as possible. The only answer given to that requisition was that their Lordships did not see any reason for departing from the new system which they had established. He cast no imputation either on the firm selected or on the Board of Admiralty; but the question was a very grave one, for the system was operating prejudicially to the public service. It undoubtedly did away with some of the abuses of the old system, but it substituted others in its stead, and could not fail in the end of being productive of much mischief. One bad result which it had was the creation of a number of intermediate brokers, who preyed upon the shipowners, and screwed large percentages out of them. Shipowners in towns like Hull naturally complained very loudly, because they were precluded from embarking in a trade which they held ought to be open to public competition. There ought to be no secret about the freight required by the Government, and notice should be given that the Government would receive tenders from all shipowners willing to take the stores which the Government desired to ship. Besides the objections he had urged, there was a grave constitutional question involved in the proceeding, and that was, whether it was right that the Admiralty or any Government Depart-

ment should have the power of creating new offices which were not included in the Estimates. Three gentlemen had already been appointed to new berths under the Admiralty—namely, for engagement of transport, the purchase of coals, and the purchase and sale of timber—and were receiving large commissions for duties which were not specified in the Estimates. That was a system which was very much to be deprecated. Should the system prevail of the contracts being given to a single firm according to favour, there would be nothing to prevent a Conservative Secretary, when he came into Office, taking the contract from a Whig firm and giving it to a Tory one. The present Admiralty policy of private purchases was, in his opinion, entirely wrong. Doubtless it might work well under careful supervision; but they might not always have sharp, business men at the Admiralty, and then jobbery and corruption would inevitably creep in. Such a system altogether depended upon the aptitude of the officials who had to administer it, and it could only be successful where they were zealous and able. His belief was, that ultimately the new system would prove much more injurious to the public interests than the old system, objectionable as that old system had been in many respects. With regard to the outfit of ships, freight, and all such matters, there should be an Executive officer to ascertain what was necessary for the Government, and then the supply should be thrown open to public tender. He maintained that an open system of tender was the best for all parties, and that there ought to be nothing to conceal in a transaction between the Government and the merchants it employed. He hoped the Secretary of the Admiralty (Mr. Baxter) would meet the question in a straightforward way, and would not evade the issue by raising the cry of want of confidence. At all events, he felt bound to record his opinion that the system of private purchase was a bad one, and that although it might effect a temporary saving, it would in the long run be productive of a system of jobbery more pernicious than anything that had yet existed.

Mr. GRAVES said, the question raised by his hon. Friend (Mr. Norwood) was one of great importance. He thought the open system of tender, which placed

everybody upon a fair and equitable footing, was the best for all concerned. He did not regard the question so much from a shipping as from a public point of view. The great objection in his mind to the present system was the favouritism which might spring out of it, and though possibly some small saving might occasionally be secured, yet, upon the whole, it was more satisfactory that things should be done openly. In that light he must condemn the system of private purchase. What he wished, however, particularly to impress on the Committee was that what should be aimed at should be, whilst exercising economy, to preserve the Public Departments in such a state of normal efficiency during peace as would allow of their ready extension and expansion whenever necessity should arise. Such, however, would by no means be the result of the policy now being pursued at the Admiralty. They were throwing overboard the entire Transport Department, which had proved so serviceable to the State, and were employing instead outside firms, who had no connection with that Department at all. Emergencies might suddenly arise when it would be impossible for any one private firm to undertake the duties that might be demanded of them, and he therefore thought it was unwise, for the sake of a mere temporary saving, to throw out of gear what used to be considered a most valuable and efficient State Department. He thought the sooner the old system of transport was reverted to the better. With respect to the private purchase system, it was very unsatisfactory, and could not, in his opinion, go on long. Though it was not now a source of jobbing, it was liable to be so. His belief was that the best course to take would be for the Admiralty to adopt a kind of medium system, which would get rid of the defects of the old and embody any advantages of the new. That could be achieved by a limited system of tender—allowing free tenders and appointing a Committee to examine them, and report which ought to be accepted. The question of steam machinery had been referred to; and with respect to that, he regretted that the lowest tenders were not always accepted, even although the firms who offered lowest were quite as capable of executing the orders as those who received perhaps £10,000 more. He



would strongly urge upon the Government the necessity of reviewing at once their position in this matter, for he thought that the sooner they adopted a limited system of tender, confined to respectable parties, the better.

MR. CHILDERS said, he agreed with much that had been said by his hon. Friend opposite (Mr. Graves); but he hoped that much misapprehension would be avoided if he informed the Committee what were the arrangements made by the Admiralty, why they had been made, and on what footing they stood. He would say at once that the Admiralty would be prepared, if these arrangements should be found not to work satisfactorily, to make such improvements in them as experience might suggest. He could assure hon. Gentlemen that the Admiralty had adopted the new system merely because they thought it would be beneficial to the public service. On coming into Office at the end of 1868, it was his anxious desire, as he had served on the Committee relating to Admiralty Contracts and Purchases, to examine those questions thoroughly, to ascertain in what respects they might get rid of anomalous, inconvenient, and unbusiness-like arrangements, and how far they could follow out the principle advocated by Mr. Cobden, that the Government should carry on their business upon the same footing as merchants and other business men. His hon. Friend the Member for Liverpool (Mr. Graves) advised them not to part altogether with the tender system, but to introduce a system of limited tender, and to be very chary of direct purchase. Now, what were the facts? He held in his hand the official figures. Two-thirds of all purchases were made by open tender, one-sixth was made by limited tender, and the remaining one-sixth represented the whole amount that was purchased directly, whether through the intervention of brokers, or in any other manner. If anybody would say that that indicated a mode of proceeding different from what would be experienced by men of business, he should be very much surprised.

SIR JOHN HAY said, he wished to ask whether coals were included in the proportions just given by the right hon. Gentleman?

MR. CHILDERS said, that coals were also purchased very largely by tender. They set the system of purchase, in fact,

against the system of tender, and they found this to answer very well. The very fact of its being known that the Admiralty acted upon such a principle had a satisfactory influence for the public service. The hon. Member for Liverpool had alluded to the purchase of engines in a particular case, where the lowest tender had not been adopted. As a general principle he (Mr. Childers) maintained that the lowest tender ought to be accepted; but it was impossible to apply that principle without any limit. There were certain classes of engines, made usually by two or three firms, in which, if application were made only to them and the lowest tenders were invariably adopted, those firms would have an absolute monopoly. The proper course, therefore, was to apply to these firms, but at the same time to include others in the list, and not to bind themselves under all circumstances to take the lowest tender. That was what every man of business would do, and it was the course the Government had adopted; though he fully admitted the propriety of the general principle. The question of transport had been the subject of some remark, and when the present Admiralty came into Office they naturally looked into the whole matter, though it was not one of the largest questions they had to deal with, and they had leisurely introduced what he believed to be very great improvements. At the same time there was not the smallest intention of abolishing the Transport Department; their operations had merely been shortened and rendered more businesslike than they were before. The Department formerly had no business advice whatever in the arrangements which they were called upon to make. They had simply to rely upon the knowledge of the very gallant Admiral at the head of the Department and the staff of Civil Service clerks appointed to carry out his orders. The question now in debate was one with regard to the shipment of small quantities of stores, amounting in value to about £40,000 a year. With regard to that matter there had been in existence a set of regulations, perfectly honest and straightforward no doubt, but not the sort of regulations that men of business would have adopted in transactions of the kind. These regulations, for instance, required that in all shipments, down to those of very

small parcels, there should be public advertisements, tenders, and surveys of the ships in which the stores were to be conveyed; and the form of tender included conditions which were very inconvenient and onerous, and such as merchants and men of business had never heard of. He would give an instance of the working of this system, mentioning the facts, but not the names of the parties concerned. It became necessary, rather hurriedly, to take up a ship to convey a regiment to Malta, and to proceed thence to North America. It was an urgent matter, near the end of the season, and admitting of no delay. The Transport Department were suddenly called on to find a ship and to make the best arrangement they could. Had a similar crisis occurred in a merchant's office he would have taken advice in the City—he would have known where to look for ships. The matter would have been transacted promptly, and in a day or a second day the whole thing would have been over. But the Directors of the Transport Service had no persons with whom they could consult, and the gentleman upon whom the responsibility of acting devolved was obliged to make the best arrangement in his power. He had heard some time before of a person whom he believed to be a competent adviser, and to him he went, told his story, and said—"The whole thing has been thrown upon me; make the best arrangement you can." The result was that the Government had to pay for the performance of this special service £26,000 in all, which was quite £12,000 over the amount that it ought to have cost. As another illustration of the working of the system, he might mention a case in which a small quantity of naval stores, about 50 tons, was reported not to have arrived at the place where it was expected for three months after it was due. Eventually the stores were sent out, and he had carefully investigated the whole transaction so as to get to the bottom of it. He found that, owing to the routine arrangements of the Department, an advertisement for tenders was inserted for the first time on the 8th of March, again on the 15th, and again on the 22nd. On the 25th the cheapest tender was accepted; but the ship was not ready to be surveyed until the 14th of April, on the 15th of April she was surveyed, and

on the 23rd she began to load, but did not sail until the 25th of May. So that, in connection with one shipment of 50 tons, more than two months elapsed from the time when orders were given for forwarding the stores. He need not name the station to which the stores were sent; but vessels were constantly going there, and, in a private firm, and under ordinary circumstances, such a delay, he believed, would be altogether impossible. He had been charged with being precipitate in making alterations; but, in this matter, he had taken more than a year to arrange the proceedings which were ultimately adopted. In the first place, a Committee was appointed to go into the details connected with the Transport Department, and that Committee made its Report last autumn; since which time the various departments of the service had been consulted with regard to the arrangement that was contemplated. The arrangement was that the Government should have at its disposal the advice of a very competent firm in the City, who were not themselves interested in shipping, but who did a good deal of business in connection with shipments, and were able to give very sound advice. They came once a week or oftener to the office of the Director of Transports, and went carefully through all the small shipments, taking instructions as to the times at which these should be forwarded, and, if necessary, as to the insertion of advertisements. Therefore, these gentlemen advised the Admiralty with regard to their shipping business generally, and arranged on their account such small business as might require attention. He appealed with confidence to the House whether this was not a business-like arrangement. Before adopting the plan objected to he consulted with persons of great eminence in the City, and in particular with one gentleman, an eminent authority and Member of that House, but sitting on the opposite side, all of whom agreed as to the advantages possessed by the scheme. He thought the plan was one which any ordinary man of business, with a large number of small parcels to despatch, would adopt in preference to the tedious process of advertisements, tenders, and consequent delay. His hon. Friend the Member for Hull (Mr. Norwood) said this Amendment was not satisfactory—that several



firms in the City had presented a memorial to the Board of Admiralty against it. This was the fact, and he could not deny that the memorial was signed by many persons eminent in the City; but he was bound to say that of the whole number only 27 ever had transactions with the Government, and two had themselves urged upon the Government the adoption of improved arrangements similar to those adopted. One of the number had actually offered some time ago to give assistance in carrying out the new system. That firm had not got the appointment, however; and possibly he ought not to have been surprised that they had taken an active part in getting up the protest. But, however eminent the memorialists might be, it was not clear that their interests and the public's were identical. The proof of the pudding being in the eating, he might inform the Committee how the plan had worked up to the present time, merely remarking that he did not give the results as final. During the first quarter of a year in which the plan was in operation the sum paid had reached £4,960 against £6,380, which would have had to be paid under the old system. Therefore, he thought the tendency of what had been done was satisfactory. The hon. Member for Hull on a former occasion had given several instances in support of his case, one of which was somewhat unfortunate. The hon. Member said that in one case the Government paid 26*s.* freight to Bermuda, while the public rate of freight was 17*s.*; but the fact was, that the current public rates for the class of goods forming the greater part of the shipment at the time in question were 21*s.* and 22*s.*, and the Government only paid 19*s.* [Mr. NORWOOD: Was that the case of the *Elizabeth*?] It was. In conclusion, he would say again that the Government had no preference for one system over another. The present system, with all its improvements, required more trouble and responsibility than the former one of lowest tender; and if the Government considered their own comfort they would revert to it; but they wished to adopt the scheme which would prove best for the economical conduct of the public service. He hoped that confidence would be reposed in the Government until time had been given fairly to test the working of what he had dis-

tinctly stated was an experiment for a year only, and he would promise the House that whichever system proved the best after trial should be adopted.

SIR JOHN HAY said, he need not enter upon a discussion of the abstract merits of the two systems after the satisfactory statement of the First Lord of the Admiralty that the present proceeding was only an experiment, to be abandoned if it did not work advantageously. It might be conceded that the present system was more economical than the former one; but a mere saving of money was not a sufficient advantage to cover the suspicion that might arise in the public mind in reference to a system of private arrangement as compared with the more open one of advertisement and tender. The right hon. Gentleman was mistaken in his supposition that those who had the management of the transport service in former times did not seek advice outside the Office, for when he was at the Admiralty he sought and obtained valuable advice outside. From certain circumstances and figures mentioned by the right hon. Gentleman, he thought himself right in supposing that of the two cases referred to one was a case which occurred when he (Sir John Hay) was at the Admiralty, and far from admitting that the case showed loss to the public or want of information and business-like arrangement, on that occasion, as he should show, the public obtained good service at a cheap rate. On the 21st of September, 1866, news reached this country of the Fenian raid on Canada, and he (Sir John Hay) was requested by his Colleagues to see Lord Carnarvon, then Secretary of State for the Colonies, who informed him that it was necessary to send troops there at once—first, because of the urgency of the case; and, second, because the time was close at hand when the St. Lawrence River would be closed by the ice. There was at that time a very gallant regiment stationed at Belfast, whose turn it was to proceed on this service; but His Royal Highness the Commander-in-Chief, with that humanity which distinguishes him, did not think it advisable to send it to repel Irish Fenians, as it had in its ranks many Irishmen, and, however loyal and honourable they might be, and no one doubted it, yet it was not wise to send them fresh from Ireland to come possibly into collision with Irishmen, more espe-

cially as another arrangement could at once be made. There was a regiment in Malta—the 100th—which had been raised in Canada, and formed the most desirable force for the purpose. This being so, and the time being short, he had either to engage two sets of transports, one to convey the regiment from Belfast to Malta, and another to convey the 100th from Malta to Quebec without waiting for its relief, an expensive and unsatisfactory process; or to undertake to carry out the two services in one transport and before the ice closed the navigation of the St. Lawrence. To fit a transport for the service would have taken too long a time; but having good information—which he must say Admiral Mends and the Transport Office in his time were always able to afford him—he secured a ship, called the *Pennsylvania*, ready fitted, which took the Belfast regiment to Malta and conveyed the 100th Regiment to Canada, performing the whole service in time to reach her destination before the closing of the river. This was done at a cost for transport of £2 17s. 1d. per mile, while sums of £6 18s. 2d. and £5 16s. 4d. per mile were paid for transport at the time of what was called “the *Trent* affair.” The advice under which he acted on this occasion was obtained outside the Office, but was good, as it obtained for the country efficient and, at the same time, cheap service. With regard to tenders for engines, the system pursued at the Admiralty when he was in Office was to ascertain what firms had the machinery, plant, and capital requisite for turning out first-class engines, second-class engines, and third-class engines, and to these different groups of engine-makers tenders were sent. There were occasions when the builder or designer of a ship of a special class was allowed to apply to a particular firm which he thought would be able to carry out his views; but the general rule was to send out tenders to those different groups of firms and to accept the lowest offer. That was a safe plan, and he did not think there was any necessity for changing it. It would be quite wrong to allow persons who had not the necessary plant to compete with those who had.

MR. CANDLISH said, he thought the Committee would be of opinion that, as a rule, the correct and business-like way of purchasing was by competition; but

there were many cases in which an exceptional process might advantageously be adopted. Where the number of those who could enter into the competition was few, better arrangements might be made by private negotiation than by public competition, and there was nothing in which private negotiation could be more fitly introduced than in the conveyance of small parcels of goods to particular ports, advertising, as a rule, leading to exorbitant demands, far above the market price of freights. By the plan at present in use the Admiralty might always rely on normal charges for all the freight they required. He hoped, therefore, the right hon. Gentleman would be guided by experience—would not permit himself to be driven from his course by external pressure, but would work the two systems in competition with one another.

SIR JAMES ELPHINSTONE said, he must complain of the tendency of the present Administration to create offices which were not provided for in the Estimates. The system of paying percentages to persons for buying commodities was entirely unconstitutional, and no Administration should be allowed to put it in practice. The percentage on the purchase of coal this year must have been considerably above £2,000, and in case of war it would be a fortune to the gentleman who received it. With regard to the sale of stores by the Admiralty there had been very great abuse. The stores had been thrown away, and our dockyards had been left in such a state of destitution that if war broke out we could hardly fit out five ships of the line. The cloud of which he had spoken early in the year was in the East, and we must be prepared upon our Eastern and our Southern coasts. He looked upon the opening of the Suez Canal as one of the most important events that had occurred in the history of the world; it entirely altered our relations with our Eastern Dominions, and it was through that route we ought to convey our troops to India and bring them back again. The country was greatly indebted to his right hon. Friend (Mr. Childers) for having sent out very early two most able officers to report upon that great work. Their Report was in the hands of Members, and it was not only most useful to the public, but most creditable to the officers who



had drawn it up. It was important to consider what effect the opening of the Suez Canal would have on our East Indian trade, and what measures it was necessary to take under the circumstances. The distance from England to Bombay by that route was about 7,000 miles, and to Calcutta about 8,500; whereas the distance round by the Cape to Bombay was about 14,000 miles, and to Calcutta about 16,000, and there were many ships which, if their logs were examined, would be found to have run from 17,000 to 18,000 miles in going from this country to Calcutta. By means of the Suez Canal ships would be enabled to make three trips from England to India in the course of the year; whereas few ships going round by the Cape could perform more than one voyage and a half at the very outside in a year. The effect of the Suez Canal would be to throw the whole, or by far the greater part, of our Indian trade into that channel of communication, and also to make it entirely a steam trade, because sailing vessels could not make the passage up and down the Red Sea with any degree of economy, and, in fact, it would be almost impracticable for them. Moreover, the trade by that canal would doubtless be carried on by a class of ships specially adapted for it, and owners were already in every direction laying down a class of commodious and roomy ships constructed for that purpose, which would be navigated by officers who would soon acquire sufficient knowledge of the canal to be able to take their vessels through it without the aid of a pilot. It was a serious and mournful thing to think that the magnificent and beautiful ships which he had seen in the harbours of India would thus, as it were, have the bread taken out of their mouths. But that canal was situate at the extreme end of a sea which at any moment might become a foreign lake, and he was therefore anxious through the Committee to direct public attention to the grave political considerations involved in that matter. Supposing a war to occur when our present ships had been broken up or had been diverted to some other trade, what would happen if by any means we were cut off from communications with our Indian possessions by the Suez route? In that case a convulsion would be created in this country hardly inferior to

that which would be produced by a civil war. His right hon. Friend (Mr. Childers) must be in a condition to vindicate the neutrality of that strait. He wished, therefore, to impress on the House and the Government the expediency of addressing Her Majesty, praying Her to take steps for setting on foot negotiations with a view to bring about such European arrangements for maintaining the neutrality of the Suez Canal as would prevent our ever being deprived of an advantage which had been gained for commerce and civilization by the genius and indomitable perseverance of one of the greatest of living engineers.

MR. LIDDELL said, he dissented from the opinion stated by the hon. Member who had last spoken as to the practice of employing agents and paying them a per centage for the purchase of stores. He hoped that the new system in that respect would receive a fair trial. But he must warn the Admiralty against seeking to drive contractors too hard by what was called "decimating" their contracts—a process which would ruin the best contractors in England.

MR. ARTHUR GUEST said, he rose to call attention to the circumstances connected with the return of the 23rd Regiment from India in Her Majesty's ship "*Crocodile*" in November 1869. They embarked at Alexandria, and their destination being Devonport they applied by telegram to the Government on arrival at Malta for permission to be landed at Plymouth as the *Crocodile* was before her time, but they were sent on to Portsmouth. Disembarking on the 16th, the regiment was detained at Portsmouth fully seven days, at great inconvenience and expense to officers and to married men, who had with them their wives and children, and who were unable to get at their baggage, which was stored in a shed. The *Crocodile*, meanwhile, lying idle in Portsmouth Harbour—why was not the regiment permitted to be landed at Plymouth? Why was not this regiment sent on at once by sea to Devonport; and if that were impracticable, why was it not sent on by train? It was calculated to bring discredit upon our system of moving troops, that a regiment should be left at one place for seven or eight days in a disorganized state and without any means of keeping the regiment together. If it were deemed im-

possible to forward troops at once to their destination, would it not be well to have barracks reserved at Portsmouth, Winchester, or Aldershot, for their reception? He wished further to ask the First Lord of the Admiralty what use he intended to make of the Suez Canal, which, he understood, would shortly have a uniform depth throughout of from 25 to 26 feet? It was of great importance that our troopships should be sent through it.

MR. ALDERMAN LUSK said, Government need have no fear of injuring contractors. They were a class who were generally capable of taking care of themselves. He hoped the Government would not discontinue the system of public tenders where anything in large quantities was wanted. As to freights, there were plenty of vessels to be had either to Bombay, Calcutta or China, and ship-owners were ready to take cheap freights from the Government for the credit of carrying for the Government.

MR. NORWOOD said, the right hon. Gentleman the First Lord of the Admiralty appeared to speak slightly of the memorial signed by a vast majority of shipowners and brokers, and containing, perhaps, every name of importance. He should feel it his duty to move for copies of all memorials on the subject, in order that hon. Members might form their own impressions of the importance of the document.

MR. CHILDERS said, he had been misunderstood, for he spoke of the memorial as being most respectably signed, although he added that the interests of the memorialists and of the public were not always to be reconciled. If after this it was thought worth while to move for the document he would produce it. He entirely concurred with the remarks of the hon. Baronet (Sir James Elphinstone) with reference to the Suez Canal; and what he had said would be well pondered. The Government were fully alive to all questions connected with the canal, and had been since it was apparent that it would be a success; they had made most particular inquiries as to the extent to which it was likely to be used by Government and by merchant shipping, and the House might trust to the Government dealing with the subject in the way that the interests of the Empire required. With respect to the case of the *Crocodile* the facts were that the Admiralty undertook to take out and bring home to and from India troops,

at the expense and under the arrangements of the Indian Government, according to a programme settled at the beginning of the season, and which left the smallest possible margin for the repairs of the vessels at either end of the season; or for their coaling or casual requirements during the season. To deviate from that programme would disorganize the service, which was based upon precise calculations as to the time occupied by each voyage; and the late Admiralty, after careful inquiry, had settled the point that the programme could not be departed from. In this case the *Crocodile*, happening to make a very good passage, arrived two days before her time, and the *Orontes*, which was ordered to take the regiment from Portsmouth to Plymouth, having experienced bad weather in the North Sea, was two days too late, and the unfortunate result was the detention of the regiment; but it was no fault of the Admiralty, and it was one of those occurrences for which no one could be held entirely responsible. If the regiment had been sent on to Devonport by rail, it would have cost £500; whereas sending them by sea cost nothing, as the *Orontes* had to go to Plymouth.

MR. ARTHUR GUEST said, he was bound to say that the explanation was satisfactory, and that he anticipated some such answer. But he would again urge that the Secretary of State for War ought to make arrangements to prevent the detention of a regiment under such circumstances.

SIR JOHN HAY: Sir, I desire to congratulate my hon. Friend the Member for Poole (Mr. A. Guest) on the interesting discussion he has raised. I wish, however, to corroborate what has fallen from the right hon. Gentleman the First Lord of the Admiralty, which is accurate except in so far as his statement that the expenses of the five Indian transports are borne entirely by India. [MR. CHILDERS: Yes, for Indian service.] I think he will find in the Estimate he is now proposing that two-fifths of the expenditure on the transports on this side of the Isthmus of Suez are borne by Imperial funds. The arrangements for the Indian transport were, as he states, completed when I was in Office. His Royal Highness the Commander in Chief was very anxious to arrange that regiments arriving from India should be landed at the port nearest to their destination, and the Admiralty were anxious

*Mr. Arthur Guest*



to carry this arrangement out if it had been found practicable, having regard to other considerations. But with five transports, only and no Suez Canal, this was quite impossible, as the Committee will see. For sanitary reasons, all the medical authorities concur in deciding that the Indian reliefs shall be completed in the five winter months. 18,000 men have to be moved. Three transports conduct this service on the Indian side and two on the Mediterranean side of the Isthmus of Suez. The steamers must perform their work with the regularity of clock-work, or troops might be detained in Egypt or on board ship at great expense, besides totally disarranging the whole system of reliefs. It has been found best, as only one English port can be used, to make all arrangements for the speedy landing of the troops and for refitting and replenishing the transports at Portsmouth. A day lost in going to Plymouth or Cork would throw everything out both in India and in Egypt, unless, indeed, duplicate arrangements for refitting the transports were kept at Plymouth. But such duplication would entail a greater expense than the occasional conveyance of troops by rail. Under these circumstances, until the Suez Canal is so open as to enable us to make the whole transit in one ship, and so save the time of transfer in Egypt, I think the Committee will see that it is better to adhere to present arrangements. I quite concur in believing that very shortly the Suez Canal will considerably increase our facilities and relieve our troops from the inconvenience of which my hon. Friend the Member for Poole has not without reason complained.

*Vote agreed to.*

(3.) £120,000, Half and Retired Pay, Officers of Navy and Royal Marines. Monthly instead of Quarterly Payments.

MR. SCLATER-BOOTH said, he must ask why the necessity for this Supplemental Vote had not been foreseen when the Estimates were prepared?

MR. CHILDERS said, that the course of the Government in this matter had been tentative, and the change as to half-pay had not been determined upon when the Estimates were prepared. The alterations could not be made without bringing 14 months' pay into the first 12 months, and the new system would be very advantageous to half-pay officers.

*Vote agreed to.*

# SUPPLY — CIVIL SERVICE ESTIMATES.

(4.) £153,919, to complete the sum for Embassies and Missions Abroad.

MR. RYLANDS said, that last year, it would be in the recollection of the Committee, he proposed to reduce the Vote for Diplomatic Services by £10,000, and his Motion was only defeated by the casting vote of the Chairman. On that occasion his hon. Friend the Under Secretary of State for Foreign Affairs (Mr. Otway) strongly urged that a reduction to that extent would be detrimental to the public service; but, notwithstanding that opinion, the Foreign Office had managed to reduce the Estimates this year by £12,448, which was, no doubt, to their credit. At the same time, he was compelled to observe that the reduction had not been made in the permanent charges. It was true that the item of salaries of Ambassadors, &c., had been diminished to the extent of £1,410; but, on the other hand, the salaries of second and third Secretaries, &c., had been increased £1,436, so that he had a right to complain that there was no actual decrease in the personal staff under the Foreign Office. The saving had been effected by squeezing down some incidental items, chiefly on account of journeys on the public service, special missions, and outfits, all of which might probably be advanced to their former amount in another year. As the Committee on the Diplomatic Service, upon which he had had the honour of serving, had not yet reported, he felt precluded from proposing any reduction of this Vote; but he did not feel precluded from urging on the Government the expediency of not filling up any vacancy that might occur in the smaller missions, and that no addition should be made in the number of Secretaries and Under Secretaries of Legation; but that, if possible, they should be diminished. His hon. Friend (Mr. Otway) was as well acquainted as he was with the evidence which had been given before the Diplomatic Committee, and must be perfectly aware that the number of the junior members of our Legation was unnecessarily large. As regarded the smaller missions, he (Mr. Rylands) was of opinion that most of those scattered over Europe might be dispensed with. They had been represented as the eyes and ears of the Foreign Office, and that they

were the watch-dogs of the Continent. If so, the eyes were blind, the ears were stopped, and the watch-dogs were dumb dogs that could not bark. These missions were regarded as political barometers—we had planted them throughout Europe in order to give us early intimation of a coming storm; but for several years these political barometers had stood at “Set Fair,” and remained so to the very moment when the storm suddenly burst over us. They gave not the slightest warning to the Foreign Office of the great event that had recently startled Europe. The Secretary of State for Foreign Affairs had admitted that two hours before the alarming telegram from France was received, he had been told by the Under Secretary at the Foreign Office that there was a perfect lull in Continental politics. Nothing could have shown in a more striking manner the uselessness of these means of obtaining early information from abroad, and which were maintained at so great an expense. He did not wish, however, to imply that if the Foreign Office had obtained earlier information they would have been able to avert the war between France and Prussia. His hon. Friend the Under Secretary for Foreign Affairs was under the pleasing delusion that the Foreign Office had for the last four years kept the peace of Europe. His hon. Friend had told him on more than one occasion, in a solemn, important manner, that by the tact, the conciliatory influence, and the exceeding wisdom of the Foreign Office, wars had been prevented that might have jeopardized the highest interest of this country. A year or two ago, there was the question of the refusal of Belgium to sell the Luxembourg Railway to France, which threatened a serious complication that might have led, in the opinion of his hon. Friend, to war, unless the influence of the Foreign Office had prevailed over the Emperor of the French in favour of peace. And no doubt if war had not now been declared, his hon. Friend the Under Secretary would have met any Motion for the reduction of diplomatic expenditure, by claiming credit for the continued preservation of peace. But only the other day M. Rouher let the world into the secret of the Emperor’s policy. He said, in addressing the Emperor—“Your Majesty was able to wait, but has occupied

the last four years in perfecting the armament and the organization of the country.” So long as the Emperor was not ready to go to war, no doubt the Foreign Office might flatter themselves that they had preserved peace; but it was now seen how utterly futile were their endeavours when events were ripe for the impending struggle. And in the midst of the evils and losses of this war, which might possibly be one of the most disastrous on record, it was to be hoped that it might startle the Foreign Office out of their self-complacency, and might teach them how utterly unable they were to act the part of a second Providence in controlling and guiding the destinies of Europe. They were deficient in the first attribute of a Providence—for they could not tell what would happen tomorrow; no, nor what would occur within two hours. In fact, the Foreign Office was frequently the last to obtain intelligence, and during the past few days most important pieces of information had been first received through other channels, and it was fortunate that whilst the Foreign Office had been slumbering there were other and better sources of intelligence. He did not contend that we should have no representatives abroad; but what he said was, that the events now in progress showed that the small German missions were not of any importance, and he hoped that the Government would take into their serious consideration the necessity of reducing these small missions at the earliest possible date.

MR. HOLMS said, he wished to know whether there was any probability of the five large Commissions abroad coming soon to an end?

COLONEL SYKES said, he was willing to give the Government credit for the fulfilment of its promise in the way of reductions, although that reduction was not very large. He must, however, call attention to the large sum charged for couriers, and he should be glad to know how many couriers had been reduced. He observed a satisfactory reduction in the item of special missions abroad to the amount of £5,000. In China very distressing events had occurred, of which intelligence had been received not from our Minister at Peking, but through private channels and *via* St. Petersburg—an occurrence not creditable to our Minister at Peking or con-



sular agents. It was said, however, that our Minister had now sent a tardy telegram on the subject, and he hoped it would be produced.

Mr. BOWRING said, he wished for information in respect to the charge in the Vote for the Registrar?

Mr. R. N. FOWLER said, he trusted the Government would not adopt the views of the hon. Member for Warrington (Mr. Rylands). If the reductions he urged were made it would be difficult to get men of education and position to enter into the Diplomatic Service.

Mr. SCLATER-BOOTH said, he did not think the country desired that gentlemen in the Diplomatic Service should be underpaid. He should be much surprised if the Committee on the Diplomatic Service recommended any decrease in their salaries. There was a reduction of no less than £72,000 in Class V of those Estimates. He, however, never expected a material reduction in the Diplomatic Service.

Mr. R. SHAW said, that his hon. Friend the Member for Warrington had not recommended reductions in the salaries of the Diplomatic Service, but in the number of small missions abroad.

Mr. ALDERMAN LUSK said, he gave his hon. Friend the Under Secretary of State for Foreign Affairs credit, and he thought the House should do so also, for having so far fulfilled his promise of last year by effecting a reduction of £12,000 in this Vote, and he hoped he would persevere in the same direction.

Mr. KINNAIRD said, he believed there was no desire to reduce the payment of really effective missions; but he thought such missions as those to Darmstadt, Coburg, and Stuttgart might be dispensed with.

Mr. BAILLIE COCHRANE said, he must point out that the expenses of living abroad had increased to such an extent of late years that no one would be wise in entering the Diplomatic Service unless he had a fortune, for it was impossible to live upon the salary that was granted by Parliament. As compared with the other Ambassadors of great Powers, ours were very poorly paid. While the French Ambassador at Turkey received £12,000 a year, the English Ambassador there received only £8,000. It was impossible to reduce the staff at most of the missions, and he

must complain of the inadequate number of our *attachés* in some places. For example, during the recent lamentable events in Greece, Mr. Erskine at Athens was unable to procure from Constantinople a single person to assist him in the discharge of the very difficult and onerous duties which had suddenly devolved upon him.

Mr. OTWAY said, he could not join the hon. Member for Warrington (Mr. Rylands) in anticipating the discussion which he understood was to be held next Monday about those important events which were now occurring in Europe. But he thought the hon. Gentleman was singularly unhappy in his illustration, for if ever there was a time when diplomacy had evinced its usefulness it was during that period which preceded the untoward incident that led to the outbreak of war. But for that untoward incident peace would have been secured; and diplomacy had actually succeeded in averting from Europe for several days the horrors of war. As to the smaller missions of Europe, they had nothing to do with the matter, which was restricted to France and Prussia, in both of which countries there were Ambassadors of the first rank. The small missions to German Courts had, however, been gradually reduced. With respect to the diplomatic profession, the hon. Gentleman had had an opportunity, as a Member of a Select Committee, of testing the opinions of those who were examined, and when the Committee reported, and the evidence was circulated, hon. Members would have an opportunity of judging whether the service deserved the remarks that had been made about it. With respect to the Commissions which had been issued on various matters, such as the settlement of the Turco-Persian frontier, Hudson's Bay Commission, United States Commission, and others, for which charges had been made in the Estimates, he was happy to say, in reply to the hon. Member for Hackney (Mr. Holms), that most of their duties had terminated by the settlement of the questions at issue. The expenses of the Commissions were decreasing, and would soon vanish. The couriers had been reduced by two. There had also been a reduction on the expenses of the journeys for the public service of £900. It was expected that the messengers would die out; but, looking at the pre-

sent state of Europe, he could not say that there would be any reduction in the present number. It was only just to the late Lord Clarendon, to whom the country owed so much, and whose decease was so sincerely deplored, to say that while he wished the service to be maintained with thorough efficiency, he was always ready to avail himself of any opportunity to economize, and the result of his policy was a considerable decrease of diplomatic expenses this year.

MR. G. B. GREGORY said, that the Reports as to the condition of foreign countries which had recently been sent home were creditable to both the industry and the ability of the diplomatic agents who prepared them.

MR. RYLANDS said, he had no desire or intention to cast any reflection on the members of the Diplomatic Service, nor did he suggest any reduction in their salaries. What he advocated was a reduction of those officials who were maintained at small Courts, like those of Wurtemberg and Dresden, where there was little or nothing for them to do. He looked upon the statement that our Ministers at small Courts obtained intelligence which could not be obtained at larger ones as an entire fallacy, and he begged to give Notice of his intention next Session, after the evidence taken before the Diplomatic Service Committee had been published, to call the attention of the House to the whole subject.

COLONEL SYKES said, he wished to ask whether Mr. Wade received the full salary of £6,000 a year, as Ambassador, at Peking; and whether he had been regularly appointed to that office?

MR. OTWAY: No.

MR. WHITWELL said, he did not think full justice had been done to the exertions of the second Secretary of Legation at Berlin, who in six weeks' uninterrupted work had prepared the information with regard to the tenure of land in Prussia which had been found so valuable in the course of the debates on the Irish Land Bill.

Vote agreed to.

House resumed.

Resolutions to be reported upon *Monday* next;

Committee to sit again *this day*.

*Mr. Otway*

# CENSUS BILL—[BILL 211.]

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen.*)

## THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Secretary Bruce.*)

MR. M. T. BASS said, he would move the re-committal of the Bill, in order to insert a new clause (Statistics of occupation and organization of labour). Had there been a full debate upon the measure, he felt sure the House would never have given its sanction to a Bill involving an expenditure of £180,000 for results of the most incomplete and unsatisfactory character. Gentlemen of the highest authority had informed him that there was scarcely a detail of the information obtained under the last Bill to be absolutely relied upon, and this was a measure almost identical in character. All the most intelligent officers connected with the Registrar General's Department were in favour of a much more extended scheme of inquiry, and if £180,000 were to be spent for Returns which few people cared for, why not spend a few thousands extra and obtain something really valuable, for the Home Secretary's only objection was on the score of expense? He wished the right hon. Gentleman would authorize him to contract with the Statistical Society for the obtaining of the information which was desired as to the position of the various classes of the people, their employment, the wages which they received, and other matters throwing light upon the moral and physical condition of the country; and he would undertake to say that they would do it for one-tenth of what it would cost the Home Secretary. In the Census Bill of 1851 some words were introduced of this nature—

"And shall also take account of all such other particulars as by the terms of the instructions which may be issued under this Act they shall be directed to inquire into."

If the right hon. Gentleman would consent to introduce some words of this kind they might be found very useful next year, when the time actually came, if there were a demand for more extensive information. He moved that the Bill be re-committed, in order to insert a new clause.



Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the words "re-committed, in order to insert a new Clause,"—(*Mr. Bass*),—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BRUCE said, the inquiries which the hon. Gentleman (*Mr. M. T. Bass*) was anxious to institute were of a kind totally different from those usually made under the Census. The practice had always been for the 30,000 enumerators to distribute Census papers on a particular Saturday and to call for them again on the Monday following. The papers contained very clear instructions, and it was only in the case of persons who could not read that it was necessary for the enumerators themselves to spend any time in filling up the Returns. But what his hon. Friend required would necessitate the employment of a totally different class of officers; it could not be effected in one day; and the inquiries themselves might be conducted just as naturally in the year 1872 or 1873 as at any other time. Then, again, his hon. Friend wished to have a Return of the rate of wages paid to the persons enumerated in the Census; he proposed to obtain—

"An account of the establishments, factories, works, shops, or other properties or premises occupied for, and in connection with, each branch of industry, commerce, or manufacture, and of every farm or holding in occupation for agricultural purposes, the number of persons employed in them, whether resident or non-resident therein, with their sex and ages, distinguishing the employers from the employed, the rates of wages paid in the week preceding such enumeration to every class of labourers or artisans so employed, the agents used in the several processes of production by animals, tools, machines, or vessels, and such other particulars as, in the opinion of the Secretary of State, may exhibit the occupation of the people, and the organization of labour in England."

He (*Mr. Bruce*) believed it would be quite impossible to procure such information from the employers of labour, and especially to obtain accurate Returns of the wages paid. His hon. Friend, who was brewer, cooper, Member of Parliament, landed proprietor, and Heaven knew what beside, complained that the last Census was inaccurate because he was only described as a brewer; but this was scarcely fair criticism. So far from admitting that the last Census was an useless one, he contended—and

he had the highest authority in support of his contention—that, though in some respects it might have been better, it was, on the whole, productive of much good.

MR. M. T. BASS said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill read the third time, and *passed*.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That *Mr. Speaker* do now leave the Chair."

#### INVENTIONS.—QUESTION.

MR. MACFIE said, he rose to put a Question to the right hon. Gentleman at the head of the Government on the subject of legislation in regard to Inventions. Inquiries had been conducted by a Committee of the House of Lords in 1851, and a Royal Commission in 1863. The results were very instructive and suggestive; but the investigation had not been so thorough as many persons expected. Obstacles had stood in the way of legislating for the reward of inventors up to the present time. At the beginning of last Session he had the honour of bringing the subject before the House, and the Attorney General then said that an investigation by a Committee would be expedient. A difficulty afterwards arose about getting a Committee, and about this time 12 months he asked the right hon. Gentleman the President of the Board of Trade, whose absence from the House was universally regretted, whether the Government had any intention of proposing a Committee this Session. The reply of the right hon. Gentleman was this—

"If my hon. Friend were to propose a Committee in this House, it would be a very reasonable proposition, to which the Members of the Government and this House would probably agree."

At the beginning of the present Session he renewed his application to the Board of Trade, but the absence of his right hon. Friend and the pressure of work in the public offices and the House had been such that his hopes and those of the public had been sorely disappointed. A Paper was ordered to be printed at the close of last Session in which hon. Members would find testimonies to the

progress of public opinion on this question on the Continent of Europe. It would be seen that since they had discussed the question last year Holland had abolished patents altogether, and Count Bismarck, as Chancellor of the North German Confederation, had presented a State Paper in which he urged their abolition. He (Mr. Macfie) occupied a medium place between the two parties—the one contending that rewards for inventions should be continued in the shape of monopolies, and the other that patents should be abolished altogether and free trade introduced. He believed it was possible to take a middle course, beneficial to the nation and to inventors, by establishing a system of rewards, but in such a way that there should be no exclusive privilege. He wished to ask, Whether the Government were prepared next Session to propose the appointment of a Select Committee to inquire into the operation of the Law of Patents for inventions, or, if not disposed themselves to do so, whether they would assist any private Member who wished to move for such a Committee?

MR. GLADSTONE said, the Government did not find themselves prepared to shift materially the ground they took last Session. They admitted at once the difficulties and disadvantages connected with the present state of the law in regard to patents, but they had not been able, as a body, to arrive—nor did he think the public had arrived—at any such clear conviction as to the mode of dealing with that law as would justify them in introducing a measure for remedying its defects or substituting for it a better system. Though his hon. Friend (Mr. Macfie) entertained a decided opinion as to the practicability of substituting State reward for the present system of public reward, yet he (Mr. Gladstone) doubted whether the Chancellor of the Exchequer had been able to see his way to the working of such a system, which must involve a heavy demand upon the public purse. The experience of Government Departments was that there was the extremest difficulty in dealing with inventions or with claims to them; and if once inventions came to be made the subject of premiums to be drawn out of the public purse, he was afraid that universal confusion would result. The Government were under an obligation, as a general rule, not to move for a Committee on a particular branch of the law,

*Mr. Macfie*

unless they were prepared to take the lead in directing its investigations, and make proposals which, in the main and in principle, they thought adequate to the solution of the question. The Government did not feel themselves to be in a position to do that; but if his hon. Friend (Mr. Macfie), or any other hon. Gentleman, was desirous of conducting such an inquiry, they certainly would not throw any obstacle in his way, but would heartily wish him well in his endeavour.

#### GREECE — MURDER OF BRITISH SUBJECTS BY BRIGANDS.

##### OBSERVATIONS.

SIR HENRY LYTTON BULWER, who had given Notice to call the attention of the House to the case of the Englishmen who were barbarously massacred in Greece on the 21st of April last; and to inquire from Her Majesty's Government what satisfaction it has obtained, or means to obtain, from the Greek Government, in consequence of its conduct on that occasion, said, he did not think it would be well for the House to separate for the Recess without some further notice being taken of the melancholy occurrence in Greece which had come under its consideration at an earlier period of the Session; but having reason to believe that, by deferring that question for a few days, the Government would be more able to give those explanations which it was desirable they should give as fully as they could before the Prorogation, than if he were to bring it forward that evening, he therefore intended to postpone his Motion until another day, of which he would give Notice. He only hoped that his example would be followed by other hon. Gentlemen who felt the same concern as himself in that matter; but, of course, if they chose to bring it forward, he should hold himself at liberty to make some observations upon it.

MR. BAILLIE COCHRANE said, he had not very distinctly caught the reasons which induced his right hon. Friend (Sir Henry Bulwer) to postpone that question; but must say, with all deference to him, that he thought his right hon. Friend was rather trifling with a very important matter. For a month his right hon. Friend had had his Notice on the Paper, and after Questions had been put to him on two occasions, he



had a few days ago placed on the Table the distinct terms of his Motion, and fixed that day for its discussion. It was a very proper subject for discussion; it had never yet been fairly discussed, and they were now near the close of the Session. A few days ago he had told his right hon. Friend that if he withdrew his Motion he would himself bring the matter on that evening; but his right hon. Friend assured him he meant then to proceed with it. He had the Papers with him, and had come down to the House prepared to discuss the question. His right hon. Friend was in his place, and he (Mr. Baillie Cochrane) received a note saying that his right hon. Friend, for various reasons, would not bring his Motion forward. Holding somewhat different views on that subject from those of his right hon. Friend, and having some facts to adduce in relation to it on behalf of an honourable and gallant man who had had injustice done him in the matter, he must say he thought it improper that this Motion should be treated in that manner. He could hardly hear what the right hon. Gentleman said, but he gathered that the question was to be deferred indefinitely. Would his right hon. Friend say distinctly whether he would bring it forward this Session or give it up altogether?—for if his right hon. Friend gave it up, he would himself call attention to the question on going into Supply.

SIR HENRY LYTTON BULWER said, his hon. Friend, if he had not distinctly heard his reasons for postponing his Motion, might have waited until he had heard them before he impugned them, and accused him of trifling with the question. He had reason to think the Government would be in a better position to give the explanations which they might be expected to give before the close of the Session at a future day than they were at present; and therefore it was because he wished when the question came on that it should be dealt with in a serious and satisfactory manner, and because he did not wish to trifle with the time of the House, that he desired to postpone his Motion till Friday next. However, he had no wish to make a personal affair of it, and if his hon. Friend thought the question would be safer in his hands, and less likely to be trifled with, he certainly had no objection to his hon. Friend taking it up.

MR. MONK said, he thought the hon.

Member for the Isle of Wight (Mr. Baillie Cochrane) had reason to complain of the conduct of the right hon. Baronet the Member for Tamworth (Sir Henry Bulwer), who placed the Notice of his Motion on the Paper a month ago, and thereby prevented the hon. Member for the Isle of Wight or any other Member giving Notice of a Motion on the subject; and not only that, but within the last two or three days the terms of the Motion had been accurately defined by the right hon. Baronet; and on these grounds it would have been only courteous to the House that the right hon. Baronet should have given earlier intimation of his intention to postpone the Motion, so as to have prevented hon. Members coming up from the country in order to discuss the question, which was one the country wished to be discussed in order to strengthen the hands of the Government.

MR. GILPIN said, he thought that the course proposed to be pursued was that which was dictated by common sense, and as to hon. Gentlemen coming up from the country for this discussion, this House, and not the country, was the place for them at present.

#### ARMY—MILITIA (IRELAND).

##### MOTION FOR CORRESPONDENCE.

COLONEL FRENCH: I rise, Sir, to move for Copy of the Correspondence between the Lord Lieutenant of Ireland and the Secretary of State for War, relating to calling out for training the Irish Militia Regiments in 1870, the re-enrolment of their men, or the reduction of their Staff. Under ordinary circumstances, any person conversant with the usages of the House would take it for granted that such correspondence as I have asked for would be laid before Parliament in accordance with the terms of my Motion. However, I have heard from the right hon. Gentleman at the head of the War Department that it is his intention to refuse the Papers. It certainly appears strange to me that a Minister of such a specially cautious temperament as my right hon. Friend should commit himself in writing to the Lord Lieutenant of Ireland, or to any other person, by a statement which he is either afraid or ashamed to submit to the House of Commons and the inspection of independent Members. Ireland is supposed to be governed by a Lord Lieutenant responsible to his Sovereign

for the tranquillity of that country, and there exists no reason why he should be either crippled or fettered by political expediency or red-tape interference. It was the custom—as the Secretary for War very well knows, having himself served as Chief Secretary to the Lord Lieutenant in Ireland—that, before any steps were taken from the War Office to interfere with either the Militia or other military arrangements, a communication to that effect should be made to the Lord Lieutenant. It also was the custom, until the precedent afforded by the present Secretary of State for War, to attend to the objections and to follow the advice of the Queen's representative in Ireland. I feel perfectly persuaded that, from the knowledge possessed by Earl Spencer as to the necessity for continued training and an efficient service, he would be about the last man to sanction either the non-calling out of the Irish Militia, or the steps taken by the Secretary for War to render their Staff ineffective. For what could be more absurd than, as the War Office proposes, to take men out of the Line, who are incapable of teaching the troops their duty, and to set them at the head of drilling operations. Those, of course, who are competent will be kept by the commanding officers of the regiments to which they are attached. Now, all these matters are within the knowledge of Earl Spencer, a man of considerable experience in military administration, possessed of no ordinary amount of sound common sense, remarkable for his administrative ability, and distinguished for that boundless hospitality and manly character so well calculated to conciliate the people of Ireland. Still, the Irish Militia Regiments have not been called out for the last five years—a bad return, let me say, for their conduct when England stood sadly in need of their services. You hesitated to call out the Irish Militia. Why? Was it this? You doubted the loyalty and the fidelity of the nation, and yet you lacked the manliness to say so. The conduct of the Administration almost tempts one, in the words of the poet, to exclaim—

"Those tyrants teasing, tempting to rebel,  
But well deserve the fate their fretting lips  
foretell."

You have cast an imputation of distrust upon a body of men who furnished some of your best soldiers for the Crimean War and the suppression of the Indian

*Colonel French*

Mutiny. No less than 13 Regiments of Militia volunteered for the Crimea—Antrim, Armagh, North and South Cork, Down, Dublin City, Fermanagh, Limerick City, Longford, South Mayo, Roscommon, South Tipperary, and Westmeath. For service in India—Antrim, North Cork, Donegal, Donegal Artillery, Armagh, Roscommon, Sligo, Tipperary Artillery, and Londonderry, every man of whom, from the colonel to the humblest private, declared his willingness to embark for the seat of war. Under your cheese-paring system of economy you have allowed the Irish Militia force, which supplied the casualties of the Line during the Crimean War, to dwindle down from an efficient strength of 30,000 men to 14,000 men on paper. Ireland has a right to be treated, at least, as well in all respects as England and Scotland. On that equality we are resolutely determined to insist to the utmost. I am not without hope that those hon. Gentlemen who plume themselves on their economic principles, and who profess to mean well towards the sister country, will do all they honestly can to support the claims of Ireland to be treated as a portion of the United Empire. But to the Administration, and I speak in the presence of the Premier, and several other Advisers of the Crown, I offer this advice—be warned in time. The Militia in Ireland, in common with the mass of the people, distrust you. The first step towards dislike has been taken, and the next move is not far distant. You could have an attached and contented people; but bungling and gross mismanagement has, unfortunately, made it far otherwise.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Correspondence between the Lord Lieutenant of Ireland and the Secretary of State for War, relating to calling out for training the Irish Militia Regiments in 1870, the re-enrolment of their men, or the reduction of their staff,"—  
(*Colonel French*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CARDWELL said, he would venture to say that his right hon. Friend (*Colonel French*) in the course of his experience, which was very great—he be-



lieved greater than his own — never knew departmental correspondence of this kind, between the Secretary of State for War and the Lord Lieutenant as to the policy of calling out the Irish Militia, to be laid on the Table of the House; and he (Mr. Cardwell) must, on the present occasion, ask to be excused from producing it. Neither should he feel it his duty to state what share of the correspondence was his own; but he agreed with his right hon. Friend that the responsibility for the calling out the Irish Militia constitutionally devolved upon the Irish Government and the Lord Lieutenant. It was not from any want of confidence in the loyalty of the Irish people generally, and certainly not from the smallest distrust of the gallantry of those enrolled in the Irish Militia, that it had not been called out. It was not thought necessary by the Irish Government, even in the early part of the year, to call out the Irish Militia. Then the question was, whether it was right to go to any expense in the matter of enrolment; and with respect to the new enrolment the right hon. Gentleman said that he (Mr. Cardwell) had introduced a new regulation, though in the next sentence he said that the regulation had been in existence for the last five years. Therefore, the responsibility for the regulation must belong, not only to himself, but to many of his predecessors in Office. The enrolments were continued till the present year; but they involved an absolute waste of money, because there had been no training since 1865, and it was not intended that there should be any training in the present year. With regard to new recruits the Government were perfectly confident that the gallantry and loyalty of the Irish people would furnish abundance of them whenever it should be thought proper to call out the Irish Militia. As for the permanent Staff, they were very useful for certain purposes when the Militia were not called out; but there was no necessity for the number to be so great, and, with the concurrence of the Lord Lieutenant of Ireland, the Government had determined not to reduce the permanent Staff; but when a certain number of vacancies occurred those vacancies would not be filled up. That this process had not been carried to a very great extent would be admitted, when he stated the number had been 1,208 and it was now

1,177. With respect to the quartermasters, his right hon. Friend said that Ireland should be treated with the same equality as England and Scotland. Well, they had been treated in exactly the same manner. The quartermasters were not satisfied with their position, and wished for a retiring allowance. In consequence, the circumstances of their position were reviewed, and the Government and the House agreed that they should have a retiring allowance, and that in future the office of quartermaster should cease. He believed he must now have satisfied his right hon. Friend that he had acted constitutionally by acting in concurrence with the Lord Lieutenant of Ireland, and that he had treated Ireland in a perfectly equal way with England and Scotland; and his right hon. Friend, if he acted in conformity with his experience in that House, would not insist on the production of departmental correspondence.

Amendment, by leave, *withdrawn*.

#### NAVY—THE FLYING SQUADRON.

##### QUESTION.

SIR JOHN HAY said, he had intended to call attention to the great loss of men which had resulted from the employment of the Flying Squadron, but he would now condense his observations into the form of a Question. Last year he took the opportunity of objecting to the employment of six ships and 2,800 men of the Navy in a way he thought not advantageous to the public service. He admitted that the assembling of the squadron and the practice of the men in evolutions were likely to be advantageous, and it was not to the assembling of the squadron that he in common with the right hon. Member for Tyrone (Mr. Corry) objected; but they thought it wrong that the ships and men, the former being extremely scarce, should be sent to a distant part of the world, as should circumstances arise in Europe requiring their aid, the Government would not have the power to employ them. Such squadrons of evolution or exercise should be employed in the Mediterranean or Atlantic, where their services would be available at short notice. Moreover, the part of the world to which they were sent was likely to be injurious to the health of the crews, and the temp-

tations there to desert were considerable. The right hon. Gentleman the First Lord of the Admiralty stated the other night that 58 men had deserted during the short time the squadron was at the Colonies. It had been stated that the squadron had been telegraphed to return, but the only mode of telegraphing to Valparaiso, the next port of call, was by telegraphing through North America to Cuba and thence *via* ship to Panama and Chili, or by packet to Rio de Janeiro and thence by wire to Valparaiso. Telegraphing, therefore, was no use, and he could not see how the squadron, though telegraphed to return immediately, could reach this country before November, and though men were scarce, yet, if the statement in the newspapers were true, the right hon. Gentleman was about to send out another Flying Squadron. He thought such a proceeding would have the effect of weakening the national force near home in a way disadvantageous to the country, and he, therefore, wished to know, Whether the right hon. Gentleman purposed to commission another squadron for particular service, for that was the technical expression, and to keep it in distant seas, so that the Government would be deprived of the opportunity of availing themselves of its services if they should be required?

MR. CHILDERS said, that last year the hon. and gallant Baronet (Sir John Hay) objected to the squadron being sent to New Zealand, which he said was in a disturbed state. [SIR JOHN HAY: And it was not sent in consequence.] Yes it was sent there, and to three ports instead of two, and the Government had received despatches from that Colony stating that its visit had conferred great benefit there, and expressing a hope that the Government would send another squadron to New Zealand. The Flying Squadron had visited Japan; but there had not been the smallest objection made to its presence there, as the hon. and gallant Baronet had prophesied. On the contrary, Admiral Hornby had been requested by Her Majesty's Minister there, at the desire of the Japanese Government, to receive a certain number of Japanese students on board, and the result of the visit had been in every way satisfactory. The hon. and gallant Gentleman had now raised a fresh set of objections to the Flying Squadron. One was that the parts of the world to which

it had been sent were not favourable to health or discipline; but there was not the smallest foundation for that prophecy after the events. The health of the squadron, instead of being so much injured by its movements, had been improved. A report had appeared in the newspapers that the squadron was in an unsatisfactory state owing to the short supply of water; but, on inquiry, it was found that a mistake had been committed by the newspaper's correspondent, the supply per man being stated at a quart and a-half per diem, whereas it ought to have been a gallon and a-half. Then as to the alleged number of deserters, the fact was that in one of our Colonies the men had been granted free tickets over all the railways, and in consequence some were "stragglers" when the Fleet went to sea, and among them 80 or 90 blue-jackets. Some of these had since been recovered, but the desertion had been greatly exaggerated. It was said he had telegraphed to Valparaiso to order the squadron to return; but the fact was there was no telegraph to Valparaiso, and the squadron was not ordered to alter any of its movements, but only to use a little more coal. The hon. and gallant Member asked whether it was intended that there should be a second Flying Squadron. He had stated, earlier in the Session, that a squadron of seven frigates and corvettes would be ready to sail in October or November next. Of course it would be impossible for him in the month of July to say—and the House would appreciate the reasons why he should not say—where that squadron would be sent. All he could say was that there was abundance of men and stores for the purpose, and when the time came the Government would take care that it was properly equipped and sent to the proper place.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY considered in Committee.

(In the Committee.)

(5.) £208,520, to complete the sum for Consular Services.

MR. HOLMS said, he had given Notice of his intention to move a reduction

*Sir John Hay*



in the Vote of £7,850. As the Committee on the Diplomatic and Consular Service would not report before the end of next Session, and as it was quite clear that before the Estimates of 1872-3 their recommendations could not fully come into effect, he deemed it his duty to place that Motion on the Paper; but though he had studied the subject most carefully he found that he could not do justice to it without occupying too much time at that late period of the Session. He hoped that next year a desire would be shown to make a reduction in this extravagant expenditure; he believed that there was no Department of the State which more required the vigilant scrutiny of the House of Commons than the Consular Department. Unless the Estimates of next year showed a very marked decrease it would be his duty to call the attention of the House to the subject, with the view of its requesting the Government to reconsider the Vote. It was also his intention to have illustrated the manner in which the public money was thus wasted by referring to such Consulates as Venice, Corunna, Seville, Leipsic, Warsaw, and Janina, which were either of minor importance or altogether useless; but he trusted that there would be a large reduction on this Vote by another year. He wished the Consuls to be well paid; but there were dozens of Consuls more than were required.

MR. OTWAY said, he agreed with his hon. Friend (Mr. Holms) that some of the Consuls might be reduced, and a practical proof of the soundness of that opinion lay in the fact that some of them had been already reduced, and that one or two others would not again appear in the Estimates. Although he could not accept the statement that Venice was no longer an important port—for Gentlemen who were keen reformers sometimes allowed themselves to be led into exaggerations on these matters—it certainly was not as important as before the Italian War. And, accordingly, the present Consul General Perry, one of the best of our civil servants, had been informed that he would be relieved next year, and in future our consular representative there would be an official with a comparatively small salary. Corunna was a station of considerable importance, owing to the trade of the district with Great Britain, and the pay, £650, was not large, remember-

ing that it included the allowance for office, &c. Seville was one of the stations which would require consideration; but with regard to the determination of this or other questions, it must be remembered that just at present the time of our own Foreign Minister was occupied by pressing questions of much greater magnitude. The Consulship at Leipsic was established at the time when the Zollverein acquired importance, and it was still a valuable centre of information; at least, if it were terminated some other Consulship would have to be established. Some posts might be considered semi-political. For instance, from the nature of things, the Consul at Warsaw discharged functions quite as much of a diplomatic as of a consular character. That post was not one which would be maintained for purposes of commerce, but we were obliged to have a representative there, who could only be of consular rank, owing to the relations of the place to the Russian Government. He had now touched on most of the points to which his attention had been called. But he might add that a Commission was going to Constantinople next year, which would take the opportunity of inquiring as to some of the consular stations in the East. He might also point out that upon the China Consular Estimates this year there was a saving of £9,903 as compared with last year, which had been effected mainly through the zeal and knowledge of one gentleman, Lord Tenterden, who was a clerk in the Foreign Office.

MR. MONK said, he hoped the Under Secretary of State for Foreign Affairs would seriously consider the very great and, in his (Mr. Monk's) opinion, unnecessary cost attaching to the Consulships in the Ionian Islands.

MR. CHADWICK said, while believing that there were Consulships which should be dispensed with, and some where the salaries should be reduced, he was of opinion that there were others in which the remuneration was inadequate. The British Consul in New York occupied a position which was hardly second to any Minister in any country. Yet his salary was a very moderate one, and he was not dignified with the rank of Consul General. He returned fees to the amount of £3,000 a year. Why should he be placed in a second position, and why should not his services be more

appreciated? While reducing where services were not required, he hoped they would not act in a manner which would lead to the inference that they were not prepared to reward liberally good service when rendered.

SIR STAFFORD NORTHCOTE said, having been recently in New York he thought it right to add his testimony in support of what had been advanced by the hon. Member who had just sat down. He had been in communication with our Consul in New York, and he knew how valuable were the services he rendered to this country.

MR. ALDERMAN LUSK said, he did not think that a general and indiscriminate onslaught should be made on the Consuls, who had often much to endure in the discharge of their duties. Some distinction should be made, and a Consulate like that of New York, which promoted commerce was one which was worthy of the consideration suggested by the hon. Member (Mr. Chadwick).

MR. RYLANDS said, he thought the action of the Committee which had been appointed should not relieve the Government from the responsibility which properly pressed on them to see whether a considerable reduction could not be made in this Department. He was afraid that there was a disposition on the part of the Government when a Committee was appointed to throw off the responsibility which was proper to them, and not to take any steps in the direction of economy. He believed reductions might be made in various parts of the globe, and he should be glad if the Foreign Office would assist the Diplomatic Salaries Committee which would sit next year by making independent inquiries with a view to the same result for which that Committee was appointed.

MR. OTWAY said, he entirely concurred in what had been said in regard to the Consul at New York. The expense of living in New York was enormous, and, although the salary of the Consul was high, he was bound to say they had most satisfactory evidence for concluding that it was hardly possible for a gentleman to live on the salary assigned to him. There was also a consular officer at Monte Video, to whom an allowance was assigned of £150 per year for a clerk, which he was obliged to keep, though it was clearly established that no suitable clerk could be engaged

there for a less sum than £200 per annum. He did not believe that it was the desire of this country that those who served it should be put to expenses out of their privy purse, and that they should not be able to discharge their duties unless they had private means. The hon. Member for Gloucester (Mr. Monk) complained of the expensiveness of the Consulates in the Ionian Islands. But in these consular establishments there had been a reduction from £3,475 to £2,010, and further reductions were in progress. In time most of these Consulates would be done away with. He was not aware that there was any officer extravagantly paid, although he was not prepared to say that every consular office which now existed was necessary.

In answer to Mr. CHADWICK,

MR. OTWAY said, he had no authority to promise that the Consul at New York should be made Consul General. That question rested with the Principal Secretary of State for Foreign Affairs. He (Mr. Otway) knew of no reason why the Consul should not be advanced in rank.

Vote agreed to.

(6.) £38,116, to complete the sum for Colonies, Grants in Aid.

MR. BAILLIE COCHRANE said, he wished to call attention to the painful position of Colonial Governors while waiting for a new appointment. During intervals of that kind no provision was made for them, and he wished to suggest that they should either have larger salaries which would enable them to save competences, or, in lieu of that, should be entitled, after serving, say, six or seven years, to a certain amount of pension, which would place them in positions similar to those of half-pay officers. If the Colonial Office did not agree to the proposition, he should bring in a Bill to carry out some arrangement of the kind.

MR. RYLANDS said, he thought the salaries of Colonial Governors were quite large enough, especially when compared with the payment received by the President of the United States.

MR. MONSELL said, he feared that he could not hold out any hope to the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) that the Government could comply with his request. He believed there was no difficulty in

*Mr. Chadwick*



getting men of high rank and standing to accept the office of Colonial Governor; and he had heard no complaints on the subject to which the hon. Member had referred.

SIR CHARLES ADDERLEY said, that the Vote this year was less by £16,000 than that of last year; but this reduction was merely in respect of an accidental circumstance. The fact that many of the Colonies now paid their Governors was a sufficient answer to the hon. Member for the Isle of Wight (Mr. Baillie Cochrane). He wished to have an explanation of the item of £1,000 for the Gambia, and to point out that from two other items it appeared that our West Coast of Africa possessions, which were of little use to us now that the slave trade had ceased, cost us £14,000 a year. He desired to know also whether a fort on a small island in the Gambia had been abandoned, in accordance with a recommendation made some years ago in anticipating tribal disturbances? He would ask further, how far the principle of consolidation of the Executive, Legislative, and Judicial Bodies in the West India Islands had been carried out? These islands would, he believed, be better governed if there were fewer Governors. He hoped the right hon. Gentleman (Mr. Monsell) would also give some explanation of the items relating to Heligoland and the Falkland Islands.

MR. SCLATER-BOOTH said, he wished to know if £1,800 had been granted for a new house to the Governor of Heligoland?

MR. MONSELL said, that there was no medium between giving up Heligoland altogether and maintaining the present establishment. The Government having, after consultation with the Admiralty, determined to retain it, the expenditure set down in the Estimates was absolutely necessary. With reference to the Governor's house at Heligoland, it was necessary for the Governor to have some place to live in. As to the Falkland Islands, the expenditure had been much reduced, the Estimate now being only £3,400, and these islands afforded a secure station to which vessels passing round Cape Horn might resort in their course through those stormy seas. With respect to the West Coast of Africa, the expenditure was greater than his right hon. Friend (Sir

Charles Adderley) had stated. There was a very strong feeling in regard to abandoning any possession there; but, if it were considered politic to maintain those possessions, the cost of them must be maintained. He hoped part of the cost of Gambia would in future be borne by the colonists. The M'Carthy Island had the military withdrawn already, and he hoped it might be possible to do away with the establishment there altogether. In consequence of recent political occurrences, the negotiations for handing the Gambia over to France had been suspended. Looking to the prosperous state of the finances on the Gold Coast and at Sierra Leone, he hoped that in future years they would be able to greatly reduce the Estimate. As regarded the West Indies, the consolidation of the Government and judicial staff of the Leeward Islands was proceeding very rapidly, and that policy would be pursued to a greater extent as opportunity offered. When the different local Governments had agreed to a Resolution on the subject, it was proposed that one single Governor only should be appointed for these islands.

MR. MACFIE said, he thought that in the present juncture of affairs it was necessary to consider what protection should be afforded to our more distant Colonies. He must insist on the duty of this country to protect the Colonies, and on the propriety of a confederation embracing them and the mother country.

*Vote agreed to.*

(7.) £2,869, to complete the sum for Orange River Territory and St. Helena.

(8.) £2,930, to complete the sum for Slave Trade, Commissioners for Suppression of.

(9.) £19,785, to complete the sum for Tonnage Bounties, &c.

(10.) £8,545, to complete the sum for Emigration.

SIR CHARLES ADDERLEY said, he thought that two Commissioners for migration were not required, and he hoped that it might be arranged that there should be only one in future. He also hoped that room would be found for the Emigration Office in the new Colonial Office.

MR. MONSELL said, that the Emigration Office would be placed with the

new Colonial Office. They were absorbing the clerks of the Emigration Office into the Colonial Office as rapidly as possible; but he did not think it was advisable to do away with one of the two Commissioners. That would be hardly any saving to the country, as their superannuation would nearly equal their salary.

*Vote agreed to.*

(11.) £600, to complete the sum for Coolie Emigration.

(12.) £12,759, to complete the sum for Treasury Chest.

(13.) £264,783, to complete the sum for Superannuation and Retired Allowances.

MR. RYLANDS complained that there had been an enormous increase in this Vote, and that the whole sum the country now paid for superannuation was more than £1,000,000. If the Government proceeded on the principle that all officers should retire compulsorily at a certain age they might get rid of this charge, though perhaps at an increased salary. There was no reason why the various public servants should not, by means of assurance societies, or by devoting a portion of their pay to the formation of a superannuation fund, provide for their old age, without putting the country to such a heavy expense.

MR. STANSFELD said, that the increase on this particular vote was this year £59,000, which was more than accounted for by the Bankruptcy and Chancery compensations, given in consequence of recent legislation. He admitted that the charge for superannuation was heavy, but he did not think that the suggestion of a compulsory retirement at a certain age would meet the evil; and he would remind the House that the system of superannuation by deduction from the salaries had been already tried and failed. There were some elements of hope. Many of the superannuations were the result of recent arrangements in the direction of economy, and there would be a gradual diminution of the total amount. The Civil Service was now on a better footing, and he hoped that in the course of the next year or two a scheme would be developed which would still further promote economy and efficiency by diminishing the number of established clerks, and intro-

ducing clerks on the ordinary footing of commercial clerks.

*Vote agreed to.*

(14.) £31,550, to complete the sum for Merchant Seamen's Fund Pensions, &c.

(15.) £24,000, to complete the sum for Relief of Distressed British Seamen.

(16.) £13,545, to complete the sum for Hospitals and Infirmarys, Ireland.

(17.) £4,714, to complete the sum for Miscellaneous Charitable Allowances, &c. Great Britain.

(18.) £4,324, to complete the sum for Miscellaneous Charitable Allowances, &c. Ireland.

(19.) £23,090, to complete the sum for Temporary Commissions.

(20.) £31,147, to complete the sum for Local Dues on Shipping.

(21.) £480, to complete the sum for Malta and Alexandria Telegraph, &c.

(22.) £1,300, to complete the sum for Flax Cultivation, Ireland.

MR. MONK said, he would beg to ask whether it was the intention of the Government to continue that Vote?

MR. STANSFELD replied that the Vote was last year £3,000. This year it was only £2,000. The Government had determined on reducing it £1,000 a year until it ceased altogether.

*Vote agreed to.*

(23.) £3,465, to complete the sum for Miscellaneous Expenses.

(24.) £989,837, for Customs Department.

MR. ALDERMAN LUSK said, he would remind the Committee that both the late and the present Government had made certain promises leading the officers of the Customs Department to anticipate an increase to their wretched salaries. Now, the Government ought to keep good faith with the small people as well as the great. The time had long gone by since those pledges were given, and he could not understand why the officers should be kept so long in this painful suspense. "Hope deferred maketh the heart sick," and the officers of Customs he believed were now realizing that saying.

MR. SCLATER-BOOTH said, he was not sorry that the hon. Alderman had called attention to this subject, because it was quite true that the clerks in the



Customs were led to expect more than two years ago an increase of salary, and especially that the disproportion between their salaries and those of the officers of the Inland Revenue would be taken into consideration. It was very well known that the right hon. Gentleman had been asked on several occasions why the Minute of the late Board of Treasury had not been acted upon. The reply given by the right hon. Gentleman was to the effect that the decision of the late Government had not been rescinded by the present Board. It was only suspended. He agreed with the hon. Gentleman opposite, that "hope deferred maketh the heart sick." When the present Government had suspended the recommendation of the late one upon this subject for more than one and a-half years, it appeared to him (Mr. Sclater-Booth) that their conduct amounted to something like a rescinding of it altogether. He thought that the time had arrived when it behoved the Government to state really what their views were on the matter. He had no wish to say anything to encourage complaints on the part of the Civil Service; but it was most unreasonable to expect that those officers would remain contented under the extraordinary treatment they had received.

MR. MACFIE said, he wished to know whether any progress had been made, or was likely to be made, in regard to the consolidation or amalgamation of the Customs and Inland Revenue?

MR. GRAVES said, he would beg to ask when the inquiry which had been going on in relation to the grievances in the Customs in London would be extended to the principal outports?

MR. STANSFELD said, that when the present Government came into Office they took into their consideration the Treasury Minute of the late Government, but thought they would not be justified in acting upon it without further investigation. With reference to the question of increased pay, they came to the conclusion that they would not be justified in making any such proposal, unless they could succeed in devising some scheme which would enable them to do so without making a materially increased charge on the Revenue. The inquiry, which extended to every branch of the Customs in London, had lasted longer than had been expected. The

Reports on each branch, after being submitted to the Board of Customs, had to be considered and decided upon by the Treasury. The last of the Reports—that on the Statistical Department—had not yet been received, but he would give the Committee some earnest of his desire to come to as rapid a conclusion as possible when he stated that to-day he had written a letter to Sir Thomas Fremantle, the Chairman of the Board of Customs, expressing regret that the final Report had not yet been submitted, and informing him and his Colleagues that he should be prepared to remain in town after the close of the Session in order to consider the Report of the Board, and would not leave the subject till he had arrived at a conclusion in regard to it. In reply to his hon. Friend the Member for Leith (Mr. Macfie) he might state that they had not as yet entered on the question of the amalgamation of the Customs and Inland Revenue.

MR. SCLATER-BOOTH said, he did not think the revision of salaries ought to be delayed on account of the want of the Report referred to. It ought to be in no way dependent on the condition of the Statistical Department.

MR. GRAVES said, that for the last two or three months he had had a Notice on the Paper with reference to the Statistical Returns of the Board of Trade, and had put down his Motion for Friday next. He hoped that some final Report from the Customs would then be forthcoming, so that the Secretary to the Board of Trade might be enabled to state the plans which the Government had in contemplation for the improvement of the Office.

MR. ALDERMAN LUSK said, he hoped, after the promises which had been held out for the improvement of the position of the Customs' officers, faith would be kept with them. He also hoped that a public saving might be effected by abolishing some of the minor bonding establishments.

MR. STANSFELD said, he did not entertain the slightest hope that the House and the commercial community would tolerate the abolition of the bonding system. If the suggestion that whenever Customs ports did not pay their expenses they should be abandoned were acted on, an enormous stimulus would be given to smuggling. They were endeavoring

vouring to reduce the establishments in small ports.

*Vote agreed to.*

(25.) £1,592,751, for Inland Revenue Department.

MR. MONK said, he wished to ask whether there was any hope that next year the Government would allow the superannuations and pensions granted to officers in this Department to be commuted, as in the case of pensions granted to officers in the Army and Navy?

MR. STANSFELD said, the system had been introduced experimentally in the case of officers in the Army and Navy, and the Government did not think that a sufficient time had elapsed to enable a judgment to be formed conclusively as to the propriety of extending the principle.

MR. SCLATER-BOOTH said, he hoped that in future the sub-heads under this Vote would be made more intelligible, as at present they were perfectly useless.

*Vote agreed to.*

(26.) £2,376,979, for Post Office.

MR. BENTINCK said, a Notice upon this subject had been standing in his name upon the Paper for months; but he would now compress what he had to say into the form of a Question. In every civilized country except our own great facilities were afforded for the posting of letters at railway stations and in railway letter-vans. In July last his noble Friend the Postmaster General gave an undertaking that an efficient service of this kind should be established; but four months later he had personal experience of the fact that this order, if given, had not been carried out. Perhaps his noble Friend would be able to say whether any and what orders had been given to all officers in railway vans to accept letters on the conditions stated last year. It would be more convenient if boxes were placed in the vans for the reception of letters. There were also very few railway stations where boxes for posting letters were to be found; and he could state that four or five months ago there was on the Great Western Railway only one post office at a station between London and Exeter. A few months ago he was honoured with an interview by the Postmaster General in France, who kindly prepared and gave him a report of the

*Mr. Stansfeld*

system which was adopted in that country. As time did not allow him to make the quotations from that report which he had intended, he would hand it over to his noble Friend for his information. He might state, however, that each of the communes into which France was divided might obtain permission to place a letter-box at their own railway station, on condition that they established this box at their own cost, which was very trifling. He knew the Post Office officials feared that difficulties would arise in sorting the letters; but if these had been got over in France, why not in this country?

THE MARQUESS OF HARTINGTON said, the public had already the privilege of posting letters in the travelling mail vans; but they had not made use of it to any great extent. In June last directions were given that letters should be received in all travelling post-offices, on condition that they were delivered by hand to a sorter, and that an extra fee of 2d. was paid. The first condition was considered necessary on account of the difficulty that was apprehended of making the public aware of what letters could advantageously be posted in this manner. He believed that in some instances the directions had been misunderstood by the Post Office authorities; but he would take care that their memories were refreshed on the subject, and that it was made generally known to the public that there did exist this facility for posting letters in travelling post-offices under the conditions he had named. If there was any desire on the part of the House that these facilities should be more widely extended, he would take care that the necessary directions were given. There were already a considerable number of letter-boxes in railway stations, and the number was being continually increased. He could only say generally that his Department was anxious to give all facilities which might be considered beneficial to the public.

MR. WHEELHOUSE said, he would suggest that Bills should be placarded at the district post-offices and railway stations throughout the country, so that the public might be made aware of the existence of the postal facilities which the noble Marquess had described.

MR. MACFIE said, he thought means should be taken to enable persons to



post letters from London to the country up to 9 or 10 o'clock at night.

*Vote agreed to.*

(27.) £807,153, to complete the sum for Post Office Packet Service.

MR. CRAWFORD said, he rose to ask a Question of which he had given Notice. He believed a provision had been inserted in the contracts, providing, in accordance with the recommendation of a Committee, for the conveyance of mails by way of Brindisi. He wished to know whether the Peninsular and Oriental Company had been notified that the time was at hand when they would be called upon to make arrangements for the conveyance of the Indian mails from Brindisi to Alexandria? The works were rapidly progressing at the Mont Cenis tunnel, and the headings were expected to be carried through early next year; and it was important for the interests of commerce that advantage should be taken of that route as soon as possible. He wished also to call attention to the high rate of postage charged between India and England. Letters from India were charged 1s. 3d., whilst those from Australia paid only 8d. He hoped that means would be taken to reduce the present rate of postage to India.

MR. WHITWELL said, he wished to ask if the accounts of the Peninsular and Oriental Company had been so kept as to enable the Postal Department to make satisfactory arrangements with them for each year's working of the contract?

MR. R. N. FOWLER said, he must complain that much of the advantage accruing from the Fell Railway was neutralized by the delay of the trains at Susa.

MR. CRAWFORD said, the trains were also delayed on the French side owing to the jealousy on the part of the French authorities.

MR. SCLATER-BOOTH thought it could hardly be assumed that the service through the Mont Cenis tunnel could be as regular as by way of Marseilles. He wished to know whether the Vote now under consideration would meet all the requirements for the year's service?

THE MARQUESS OF HARTINGTON said, notice had been given to the Peninsular and Oriental Company that they would in a given time be required to establish a service by Brindisi. No Vote was necessary at present for the route by Brindisi instead of by Marseilles.

Information had been received by the Post Office that the tunnel under Mont Cenis would be completed in the autumn of the next year, and when it was he did not know why that route should be subject to greater uncertainty than any other. The examination of the accounts of the Peninsular and Oriental had led to a considerable difference of opinion between the Post Office and the company as to the mode in which those accounts ought to be kept. The question was still under consideration, and, as it was possible the accounts might be referred to arbitration, it would not be right that he should say more on the subject at present. It would be impossible for him to give any assurance to the Committee that the Vote which they were now asked to pass would be a complete Vote for the purpose for which it was intended. He must remind the Committee that the contract was not entered into by the present Government, but by the Government of which the hon. Gentleman (Mr. Sclater-Booth) was a Member, and which allowed the payment to the Peninsular and Oriental to vary from £500,000 to £400,000. It would not be wise to take a Vote for the larger sum. It was not yet settled what they should have to pay the company for the last year; much less was it possible to say what they should have to pay for this year. It was true that the postage to India was very high; but even with the present high rate the service was not a profitable one, nor could he hold out any hope at present that the rates could be reduced.

MR. FAWCETT said, he thought it was time to report Progress. The Prime Minister himself had stated that measures which had not been discussed would not be taken after half-past 12.

MR. GLADSTONE said, they were now on the last Vote but one of the regular list, and he hoped the Committee would be allowed to go on. He admitted that he had said what the hon. Member had stated, but that applied to the business several weeks ago, and when they were come to within 10 days or a fortnight of the end of the Session, such a rule could not be adhered to.

MR. BENTINCK hoped that an endeavour would be made to expedite the mails to Italy, so that a morning mail might be sent by the French Government.

*Vote agreed to.*

(28.) £270,000, to complete the sum for Post Office Telegraph Service.

MR. WHEELHOUSE said, he wished to inquire whether, in the re-arrangement of the Post Office Telegraph Department, it was intended to re-absorb those who had been thrown out of employment in consequence of the transfer of the telegraphs from the companies to the Government?

SIR JOHN GRAY said, he desired to know whether anything had been done to facilitate communication with Ireland by laying down new cables? A most important Question had been lately asked by the right hon. Gentleman the Leader of the Opposition, and answered by the First Minister of the Crown at six in the evening, and every newspaper in Dublin came out next morning without having a single portion of that answer given. It had been stated on a former occasion by the noble Marquess that the number of messages was now so great between England and Ireland that there was not adequate provision for sending them. But that was not a sufficient answer, because it was foreseen that the decrease in the cost of transmission would lead to a very large increase in the number of messages. Another complaint was that the city of Cork was cut off after seven o'clock in the evening from telegraphic communication with Dublin.

MR. D. DALRYMPLE said, he wanted to know whether in the event of loss occurring from the miscarriage, faulty delivery, or blundering transmission of messages, there were no means by which the persons sustaining that loss could be reimbursed?

MR. GOURLEY said, the telegraphic system was now worse than it used to be when performed by the private companies, and he wished to know whether the Vote now asked for it was less than the expenditure formerly incurred by those companies? If the Vote was not less, they ought to have the service conducted at least as efficiently as the companies had done it. He understood that the *employés* were now paid so much per message instead of per day.

THE MARQUESS OF HARTINGTON said, in answer to the question put by the hon. Member for Leeds (Mr. Wheelhouse), with respect to retiring allowances, he had to state that that matter, which was rather complicated, was still under consideration. None of the pen-

sions which had to be given under the Telegraphs Act had yet been awarded. The principle on which the Government proceeded was to employ, as far as was possible, every person who had been in the service of the companies. As far as he could form an opinion at present, the revenue from the telegraphs would be fully equal to that which was anticipated. In answer to the hon. Member for Kilkenney (Sir John Gray), he could not state that any new cable had actually been laid down, but tenders had been advertised for and received, and he expected that in a very few days the contract would be entered into for laying down that cable. The increased business arising from the diminished charge came upon them before they had the opportunity of making the necessary arrangements to meet it; and it was impossible for them to make the requisite preparations for extensions until the lines came into their possession. The complaint with regard to the city of Cork should be carefully inquired into. The Post Office held (subject to legal correction) that it was not liable for loss caused by delay in the delivery or the miscarriage of messages. The hon. Member for Sunderland (Mr. Gourley) asked whether their expenditure exceeded or was less than that of the late companies. His own impression was that, taking into account the total expenditure of all the companies, the Post Office had, by concentration of the offices, succeeded in considerably diminishing the expenses. The hon. Member had complained that they paid their servants so much per message instead of per day, but exactly the opposite complaint was made when that subject was last under discussion. They had adopted the principle of paying partly according to the number of messages, and he did not think it was a bad arrangement for securing the proper delivery of messages.

Vote agreed to.

(29.) £1,300,000, to pay off and discharge Exchequer Bonds.

House resumed.

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.



## CANADA (GUARANTEE OF LOAN) BILL.

(Mr. Dodson, Mr. Chancellor of the Exchequer,  
Mr. Stansfeld.)

[BILL 225.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,  
"That the Bill be now read a second  
time."

SIR DAVID WEDDERBURN said, he denied the expediency of guaranteeing such loans, except under circumstances which did not exist in the case of Canada, which surely "came of age" long ago. Travellers who passed from the States into Canada were struck by the signs of its retrogression. We were helping it to build legislative halls in the backwoods, to construct railroads which were not likely to pay their working expenses, and to construct fortifications which would be a futile menace, for the people of the United States expected some day to add Canada to their number, and to do it peaceably, and would pay any reasonable sum for its acquisition, and they had no idea of invading it by force, although they knew that the Canadians, with or without fortifications, were practically defenceless. Our own experience of fortifications elsewhere was not encouraging. It might be said we enabled the Canadians to borrow money at 4 per cent instead of 6 per cent, but in proportion as we raised their credit we depressed our own. Believing that the general system of colonial guarantees was pernicious and dangerous, if not futile, he begged to move that the Bill be read a second time upon that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(Sir David Wedderburn.)

MR. STANSFELD said, that the best answer he could give to his hon. Friend was to state that the Bill was introduced in fulfilment of an agreement binding on the honour of this country. In 1865 four Canadian Ministers visited this country, and the two principal subjects discussed by them and the authorities in this country were the Confederation of the North American Provinces and the defences of Canada. The understanding come to was that if the Pro-

vinces undertook the work of defence Her Majesty's Government would apply to Parliament for the amount of the present loan. In 1868 the Legislature of Canada passed an Act authorizing the raising of a loan of £1,100,000 under Imperial guarantee for the erection of fortifications in Canada, and had, therefore, fulfilled her part of the agreement.

MR. VERNON HARCOURT said, as that agreement had not received the sanction of Parliament he contended it was not binding on that House. He found on the back of the Bill the name of the Chancellor of the Exchequer, who, in 1867, objected to a measure identical with the present Bill. The right hon. Gentleman then said—

"I do not see why, because we are assenting to the Colonies adopting any form of government they may choose, we are to take upon ourselves to find the money for them to undertake this scheme. I think that by bribing them to enter into this Confederation by guaranteeing this sum, we are taking upon ourselves a responsibility which we shall one day deeply rue. . . . This plan of inducing the Colonies by persuasion and by the influence of a loan of public money, to enter into a particular form of government is fraught with this evil, that we represent ourselves to them and to the world as taking a peculiar interest in the manner in which they choose to regulate their internal affairs and their relations with the United States. Now that we have given them self-government, let them manage their affairs their own way, and do not let us make ourselves responsible for the manner in which they regulate their internal or foreign relations. The management of our own affairs is quite sufficient for us without our mixing ourselves up in matters with which we have no concern, and over which we do not for a moment profess to exercise the slightest control."—[3 *Hansard*, clxxvi. 760-1.]

He should be glad to hear what the Chancellor of the Exchequer had to say with regard to the Bill now before the House.

MR. GLADSTONE rose. [*Cries of* "The Chancellor of the Exchequer."] He said that it was contrary to the rules of the House that a Member should speak twice on the same Motion, and, in consequence of the lengthy extract just read by the hon. Member, the Chancellor of the Exchequer might be taken to have already spoken once. He thought that the doctrine of the Chancellor of the Exchequer was in respect to the particular point in dispute when his speech was delivered a very sound doctrine, and with regard to the present Bill he admitted that the House was

free to consider the agreement come to with Canada as one merely of the Executive Government, and not of itself binding on the House. He maintained, however, that the House had, to a considerable extent, bound itself by its own act. The engagement made was that this country should bear the expense of the fortifications of Quebec, and Canada should bear the greater portion of the expense of the fortifications of Montreal. The scheme for the fortifications of Quebec and Montreal was one scheme; and when Parliament voted for the fortifications of Quebec it substantially approved the entire scheme, and so far promised the loan under consideration. The measure was no menace to the United States, as some had urged. The disparity between the resources and population of the two countries would not permit this idea to be encouraged, any more than the Belgian fortresses could be construed into a menace to France. This guarantee was a part of the price England paid for being relieved of the obligation to protect Canada by military. England had now arrived at that state of things in which Canada was to undertake almost entirely its own defence, and the pernicious system of the past was no longer to be encouraged. Canada would be relieved, in a great measure, from all control, and England would be relieved from demands upon her Exchequer on account of Canada. The impression that the construction of this fortress was being forced on Canada had no foundation. It was from no pressure on England's part, real or supposed, that Canada built these fortifications; it was her own spontaneous wish that they should be constructed, and that England should fulfil her engagements respecting them. England had undertaken to make the guarantee, and he would urge the acceptance of the Bill as a means of getting rid of that demoralizing system, the burden of supporting troops in our Colonies.

MR. MONK said, he must express his surprise that a large crop of loans should be brought forward at a period of the Session when they could not be fully discussed. The same thing occurred last year and the year before; and no one had expressed himself more strongly against such loans than the Prime Minister, unless it were the Chancellor of the Exchequer. As to the supposed

pledge, the sums granted to Quebec were a free gift voted in Committee of Supply. The present Government had undertaken to carry out a pledge given by his right hon. Friend the Secretary of State for War in 1865, but it certainly was not the opinion of the late Government that any pledge had been given to Canada that the loan should be guaranteed; and, in proof of the latter assertion, he might mention a speech delivered by the right hon. Gentleman the Member for North Staffordshire (Sir Charles Adderley) when Colonial Secretary. He should cordially support the Amendment of the Member for Ayrshire (Sir David Wedderburn).

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 65; Noes 17: Majority 48.

Main Question put, and *agreed to*.

Bill read a second time, and *committed for Monday next*.

CENSUS (SCOTLAND) BILL—[BILL 234.]  
(*The Lord Advocate, Mr. Secretary Bruce.*)

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to*.

Clause 5 (Householders' schedules to be left at dwelling houses).

SIR JOHN HAY said, he rose in the absence of his hon. Friend the Member for Peeblesshire (Sir Graham Montgomery) to move the insertion of the words of which he had given Notice. He would not detain the Committee at that hour of the morning by stating the reasons why he, in common with a very large number of the people of Scotland, desired that the Census about to be taken should contain this information. But he might say that the General Assembly of the Church of Scotland had expressed its strong desire that the religious profession of the people should be recorded, and he might express his regret that his right hon. Friend (Mr. Bruce), representing as he did a large and influential Scotch constituency, should not have adhered to the views which he believed he held, that this information should be recorded.

*Mr. Gladstone*



Amendment proposed, after the word "condition," to insert the words "religious profession,"—(*Sir John Hay.*)

MR. BRUCE said, he must oppose the Amendment.

Amendment *negatived.*

Remaining clauses *agreed to.*

Bill *reported*; as amended, to be considered upon *Monday next.*

#### VISCOUNT GOUGH (GUN METAL FOR STATUE).

HER MAJESTY'S ANSWER TO ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord OTHO FITZGERALD) *reported* Her Majesty's Answer to Address [27th July] as follows:—

*I have received your Address praying that I will direct that sufficient Gun Metal be issued for the construction of the Statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, and assuring me that you will make good the cost of the same:*

*And I have given directions in accordance with the purpose of your Address.*

#### TRUCK ACTS BILL.

On Motion of Mr. Secretary BRUCE, Bill for facilitating in certain cases the proceedings of Commissioners to be appointed to make inquiry respecting the operation of the Truck Acts and alleged offences against those Acts, *ordered* to be brought in by Mr. Secretary BRUCE and Mr. KNATCHBULL-HUGESSEN.

Bill *presented*, and read the first time. [Bill 252.]

#### EXPIRING LAWS BILL.

On Motion of Mr. STANSFELD, Bill to continue various Expiring Laws, *ordered* to be brought in by Mr. STANSFELD and Mr. ATTORNEY GENERAL.

Bill *presented*, and read the first time. [Bill 253.]

#### SANITARY ACT (DUBLIN) AMENDMENT BILL.

On Motion of Mr. STANSFELD, Bill amending the Sanitary Act (1866) so far as relates to the City of Dublin, *ordered* to be brought in by Mr. STANSFELD and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 254.]

House adjourned at a quarter after Two o'clock, till Monday next.

## HOUSE OF LORDS,

*Monday, 1st August, 1870.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Militia Acts Amendment\* (266); Brokers (City of London)\* (268).

*Second Reading*—Shipping Dues Exemption Act (1867) Amendment\* (233); Local Government Supplemental (No. 2)\* (229); Sewage Utilization Supplemental\* (230); Vestries (Isle of Man)\* (232); Factories and Workshops\* (247); Extradition (211); Turnpike Acts Continuance\* (252); Sanitary Act (1866) Amendment\* (253); Census\* (264); Petroleum\* (265).

*Committee*—Army Enlistment (236-269); Pier and Harbour Order Confirmation (No. 3)\* (228).

*Committee*—*Report*—Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* (227).

*Report*—Clerical Disabilities\* (254); Elementary Education (262-270); Telegraph Acts Extension\* (206).

*Third Reading*—Magistrates, &c. Election (Scotland)\* (240); Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment\* (231); Sheriffs (Scotland) Act (1853) Amendment, &c.\* (257), and *passed.*

*Royal Assent*—Consolidated Fund (£9,000,000) [33 & 34 Vict. c. 31]; Customs and Inland Revenue [33 & 34 Vict. c. 32]; Exchequer Bonds (£1,300,000) [33 & 34 Vict. c. 41]; Sugar Duties (Isle of Man) [33 & 34 Vict. c. 43]; Stamp Duty on Leases [33 & 34 Vict. c. 44]; Dividends and Stock [33 & 34 Vict. c. 47]; Salmon Acts Amendment [33 & 34 Vict. c. 33]; Charitable Funds Investment [33 & 34 Vict. c. 34]; Rents and Periodical Payments [33 & 34 Vict. c. 35]; Ecclesiastical Patronage Transfer [33 & 34 Vict. c. 39]; Magistrates in populous Places (Scotland) [33 & 34 Vict. c. 37]; Sligo and Cashel Disfranchisement [33 & 34 Vict. c. 38]; Cattle Disease (Ireland) [33 & 34 Vict. c. 36]; New Zealand (Guarantee of Loan) [33 & 34 Vict. c. 40]; Petty Customs (Scotland) Abolition [33 & 34 Vict. c. 42]; Public Health (Scotland) Supplemental [33 & 34 Vict. c. cxxxii.]; Liverpool Admiralty District Registrar [33 & 34 Vict. c. 45]; Irish Land [33 & 34 Vict. c. 46].

#### ARMY ENLISTMENT BILL.—(No. 236.)

(*The Lord Northbrook.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Terms of enlistment).

THE DUKE OF RICHMOND inquired whether the present system of enlistment would be continued, or whether the power of the Secretary of State to fix the term for which men were to be permitted to enlist would exist alongside

of that system? He feared that the class of men from whom recruits were taken would not be able to understand these nice distinctions as to the period of enlistment. The 1st sub-section fixed 12 years as the term of enlistment; but provided that there must be a re-enlistment and 21 years' service; while the 2nd sub-section empowered the Secretary for War to decide the period of service for which a man might re-enlist, and that period might be as short as three years. There was no period at which a clearer understanding on this matter was more necessary than at present, for, as the Royal Commission on recruiting had pointed out, wars would probably be sudden and short, so that a country should be prepared for any contingency or combination. The option given to the Secretary of State by the 8th clause, to permit enlistment for particular regiments, he should wish to see converted into a compulsory provision, for *esprit de corps* made particular regiments popular in particular districts, and without such a provision recruiting would be discouraged.

LORD NORTHBROOK explained that the present system of recruiting, by which a man enlisted for 12 and might serve 21 years, would be maintained in its entirety. The 9th clause allowed men to serve for such further period as would make up a total continuous period of 21 years.

Clause agreed to.

Clause 4 (Change of service).

VISCOUNT MELVILLE objected to the Secretary of State having power to order a soldier out of the Army after three years' service.

LORD NORTHBROOK said, this could only be done with the soldier's consent. The clause enabled a soldier to extend the six years' Army service for which he had enlisted to 12 years, and it empowered the Secretary of State to allow men to go into the Reserve, instead of being discharged.

Clause agreed to.

Clause 5 agreed to.

Clause 6 (Enlistment for general service).

THE DUKE OF CAMBRIDGE said, he strongly objected to only three years' service; but he understood the object of the clause to be to allow these men, in

the event of a reduction of the force or some other contingency, to go into the Reserve without being discharged.

LORD NORTHBROOK said, general regulations would at once be issued, pointing out the particular regiments in which men might enlist. The object of the Government was to obtain men for general service, and at the same time maintain the regimental system. Their wish was to get as many recruits as they could, and it was necessary that some discretion should be allowed them.

THE DUKE OF RICHMOND suggested that the 8th clause should, for the sake of clearness, be added to the 6th.

*Amendment agreed to.*

*Clauses 7 to 11, inclusive, agreed to.*

EARL DE LA WARR proposed a new clause, the object of which was to provide against a contingency which was not effectually covered by any provision of the Bill—namely, to give power to retain the service of time-expired soldiers during war with any foreign Power. No such power was given either in the Enlistment Bill of 1847 or in that of 1857. This power would only apply to soldiers enlisted after the passing of the Bill, and he believed the first-class Army Reserve would come within its scope, without any undue straining of the terms of their engagement. He wished to know whether there would be power to enlist men for three years without the condition of serving in the Reserve?

LORD NORTHBROOK replied in the affirmative, the Duke of Wellington having always held that a provision limiting the period of service authorized enlistments for any shorter term. He would, however, take a legal opinion on the point, and if necessary amend the Bill in that sense. He thought it would be better if the power conferred by his noble and gallant Friend's clause were made an addition to Clause 12.

*Clause agreed to.*

*Remaining clauses agreed to.*

VISCOUNT HARDINGE asked what arrangement would be made with regard to the Reserve?

LORD NORTHBROOK said, he could not give a precise answer at present. Through the instrumentality of the illustrious Duke (the Duke of Cambridge) the opinions of officers had been collected as to the reasons which deterred

*The Duke of Richmond*



men from joining the Reserve. These were found to be two—first, the insufficiency of the pay, which had now been doubled; and, secondly, the fear of too great an interference with their ordinary pursuits. Care would therefore be taken as to the latter point.

THE DUKE OF CAMBRIDGE remarked that the best means of securing efficiency and, at the same time, of avoiding too great an interference with the ordinary occupations of the men was a difficult question, which would be duly considered by the Secretary of State and himself. He was not prepared at present to say what arrangement would be satisfactory.

The Report of the Amendments to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 269.)

#### ELEMENTARY EDUCATION BILL.

(*The Lord President.*)

(NO. 262.) REPORT.

Amendments *reported* (according to Order).

EARL RUSSELL asked the noble Earl the Lord President to explain the powers of the Department with reference to the formation of school Boards?

EARL DE GREY AND RIPON said, the powers given by the Bill to the Educational Commissioners of the Privy Council with regard to school Boards were two-fold. In the first place, the Education Department might dissolve the Board and order a new election, or they might declare a Board in default, and appoint another Board, and appoint others to do the work; but the Department could not take those steps unless the Board had done something which constituted neglect or default of duty. He desired to take this opportunity of saying a word on a point raised the other night, when the Bill was in Committee, by a right rev. Prelate (the Bishop of Carlisle), who considered there was some danger if the last words in sub-section 1 were retained in the 7th clause, that children might absent themselves on every Saint's day in the Calendar. The latter part of the sub-section which related to attendance at religious instruction as it stands in the Bill read thus—

“Or to attend the school on any day or occasion set apart for religious observance by the religious body to which his parents belong.”

He proposed to remedy the danger by substituting the word “exclusively” for “or occasion.”

Amendment *agreed to*.

LORD REDESDALE moved an Amendment in Clause 7, by substituting for the words, “Any scholar may be withdrawn by his parent,” the words, “the parent of any scholar may require that he shall be withdrawn,” and by inserting after the word “instruction,” the words, “and be separately employed in some other work.”

EARL DE GREY AND RIPON said, he preferred the clause as it stood. The principle was to give perfect freedom of withdrawal and perfect freedom of teaching.

EARL BEAUCHAMP asked how the master was to know that a scholar was withdrawn by his parent?

EARL DE GREY AND RIPON: By making inquiry of the parent.

EARL BEAUCHAMP said, that that would throw upon the master the onus of ascertaining whether the statements of a scholar were true, and would involve his running about all over the parish.

THE LORD CHANCELLOR said, there was nothing new in that. It had to be done at present, for boys frequently absented themselves without their parents' knowledge, and were only detected by the inquiries made by the school-master of their parents.

LORD REDESDALE said, the question was whether the master should not have statutory protection against responsibility for boys playing truant?

EARL DE GREY AND RIPON said, there would be no withdrawal from the school except so far as was necessary to withdraw a child from religious teaching.

LORD REDESDALE thought that any Judge reading the words of the clause would interpret them as authorizing the parent to withdraw the child altogether.

THE DUKE OF RICHMOND asked whether, supposing the school met at 9 o'clock, and the religious teaching lasted from 9 to 10, a parent would be allowed to keep his child away during that period?

EARL DE GREY AND RIPON said, that must depend on circumstances. If it were possible to carry on some other

kind of teaching during this period, the children, who would otherwise be withdrawn, would be supposed be required to attend the teaching; but if the room were too small or if, from other circumstances, such an arrangement could not be carried out, the children would be withdrawn from the school while religious instruction was being given. He should be perfectly satisfied to leave the words in the clause to the interpretation of the noble and learned Lord.

THE MARQUESS OF SALISBURY said, that, unfortunately, his noble and learned Friend could not be in every school in the kingdom to give such an interpretation. The words were very vague and obscure.

VISCOUNT HALIFAX thought their Lordships were creating difficulties where none existed. The schoolmasters had found no practical difficulty in working the Time Table Conscience Clause.

Amendment, by leave, *withdrawn*.

Clause 71 (Attendance of child at school).

LORD COLCHESTER proposed an Amendment which would prevent the principle of compulsion from being carried out against the wishes of two-thirds of the ratepayers. He objected to having the principle enforced in a district which might be unwilling to receive it.

EARL DE GREY AND RIPON said, he was unable to accept the Amendment, as it would render the clause altogether inoperative.

THE MARQUESS OF SALISBURY thought there would be very great danger in working the new system of compulsion. In the rural districts the farmers would oppose it; and even if they were willing to carry it out the justices would refuse to convict—at all events, he should. In the large towns, however, the case would be different, and as we were introducing a principle which was absolutely new, we ought to take the precaution of enacting that the school Board should vote in favour of compulsion by a majority of two-thirds. He should, therefore, support the Amendment.

THE BISHOP OF OXFORD, on the other hand, hoped their Lordships would not diminish the small powers of compulsion given by the Bill.

Amendment *negatived*.

*Earl De Grey and Ripon*

Amendments made; Bill to be read 3<sup>a</sup> *To-morrow*; and to be *printed*, as amended. (No. 270.)

#### EXTRADITION BILL—(No. 211.)

(*The Lord Chancellor.*)

##### SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that its object was to enable effect to be given to conventions with foreign countries relating to the surrender of criminals, other than political offenders, by Order in Council, without the necessity of an Act of Parliament being passed authorizing them to be put in force. Under the terms of the Bill the conventions would have to be laid before Parliament for a certain time before they could be enforced.

Motion agreed to: Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House *To-morrow*.

#### ARMY—ISSUE OF BREECH-LOADERS TO MILITIA AND VOLUNTEERS.

##### QUESTION.

THE EARL OF FEVERSHAM rose to ask the Under Secretary of State for War, When it was intended to issue breech-loaders to the Militia and Volunteers? There were 51 regiments of the former force, and all the latter, who were without them. In this country it was never desired to maintain a large standing army; but in recent times it had been thought necessary to have as Reserve Forces the Militia and Volunteers, and he believed it must be the wish of the country to see them placed in such a position that they could adequately meet any emergency that might arise. Those branches of the services, he submitted, were not in such an efficient position as they ought to be; while the Secretary for War's statement at the Mansion House that the Army in its present condition would challenge comparison with any former time was not just, because it did not look to a proper standard of efficiency. The standard by which we should test the efficiency of our military service was not the standard of former times, but that which existed in the great military nations on the Continent. He rejoiced to hear that



the Army was to be placed in an efficient state, and he desired that the Militia and Volunteers should be put on the same footing. When the forces of this country were enumerated, the Militia and Volunteers were always included in the estimate of the total strength; but he submitted that as long as there were 51 regiments of Militia and the whole body of Volunteers who were not armed with the best possible weapons, they might be struck off the list of available forces, because they could not contend on anything like equal terms if any emergency arose to call them out. He was told that there were only 30,000 breech-loaders now in store, but he did not credit that statement; and if the Government had, as he supposed, a much larger number in hand, why did they not at once supply those weapons to the Reserve Forces? Whether war or peace prevailed, it was only common sense that these forces should be supplied with the best arms, and should be enabled to become efficient in the use of them.

LORD NORTHBROOK said, the noble Earl (the Earl of Feversham) was quite right in supposing that the statement as to there being only 30,000 Snider rifles in store was inaccurate, and, without going into the particulars of the matter, he might add that that blunder was a ridiculous one. The noble Earl had truly remarked that it was not proper to compare the condition of the Army now with what it was in former times; yet the present condition, he maintained, with regard to the weapon of the infantry, was a perfectly satisfactory one. The Snider rifle was superior to the weapon in the hands of any army in Europe, and its supply to the Reserve Forces had engaged the attention of the War Office ever since Mr. Cardwell accepted Office. 75,000 breech-loaders had been issued to the Reserve Forces, Sniders to the Militia and Pensioners, and the Westley Richards carbine to the Yeomanry. The arming of the Militia with Sniders would proceed until that force was completely armed with them; and the next force to be armed with them would be the Volunteers. The same course would be pursued with them as with the Militia, and they would be gradually armed with Sniders as means could be adopted for insuring that the arms should be properly taken care of. It must be remembered that the Snider

was a much more delicate weapon than the Enfield musket, and it was essential that Government should be satisfied that proper care would be taken of the arms placed in the hands of the Reserve Forces. As regarded the time it would take for men who had been trained to the use of muzzle-loaders to acquire efficiency in the handling of breech-loaders, he did not profess to be able to give an opinion; but he had been assured that upon this point no apprehensions need be entertained, and that the shortest possible training would enable men who had been trained with muzzle-loading arms to use the Snider, which was one of the easiest and simplest weapons ever placed in the hands of a soldier.

EARL COWPER inferred from the speech of the noble Lord (Lord Northbrook) that it would be some time before the Reserve Forces would be armed with breech-loading rifles, and he therefore wished to ask whether there would be any objection on the part of the Government to those regiments, who were ready to bear the expense of conversion, having their muzzle-loaders converted into breech-loaders—an operation which he was told could be effected at a cost of about 10s. a weapon.

LORD NORTHBROOK said, that if any offer of that nature were made by any regiment, the proposal would be considered by the Government.

VISCOUNT MELVILLE said, he did not know what the noble Lord opposite meant by efficiency, but he had never known the Army reduced to such a state as it was at present. He was informed there was not a single infantry regiment the rank and file of which exceeded 300 in number; that the cavalry regiments did not muster more than three squadrons; that the artillery was deficient in horsemen and gun-carriages; and he was told that the artillery flying column at Aldershot had been obliged to borrow waggons. What the noble Lord's idea of efficiency was he did not know; but in former times the establishment strength of infantry regiments had seldom been reduced below 800 men: although he recollected one instance in which the strength of a regiment fell to 750.

LORD NORTHBROOK said, the noble Viscount was altogether misinformed with respect to the strength of infantry

regiments; and he could positively contradict the statement that there was any regiment which could not muster more than 300 men.

VISCOUNT MELVILLE said, he spoke from his own knowledge with reference to Canadian regiments.

#### MILITIA ACTS AMENDMENT BILL [H.L.]

A Bill to amend the Acts relating to the Militia of the United Kingdom—Was *presented* by The Earl RUSSELL; read 1<sup>st</sup>. (No. 266.)

House adjourned at Eight o'clock,  
till To-morrow, a quarter  
before Five o'clock.

### HOUSE OF COMMONS,

*Monday, 1st August, 1870.*

MINUTES.]—SUPPLY—considered in Committee—Resolutions [July 29] reported.

PUBLIC BILLS.—Second Reading—Foreign Enlistment [228]; Meeting of Parliament \* [247]; Beerhouses \* [248]; Constabulary (Ireland) \* [241]; Truck Acts \* [252]; Expiring Laws \* [253]; Sanitary Act (Dublin) Amendment \* [254]; Passengers Act Amendment \* [251].

Committee — Report — Post Office (*re-comm.*) [219]; Census (Ireland) \* [237]; Siam and Straits Settlements Jurisdiction \* [232]; Corrupt Practices Acts Amendment (*re-comm.*) \* [246].

Considered as amended—Glebe Loans (Ireland) [222]; Census (Scotland) \* [234].

Considered as amended—Third Reading—Public Schools Act (1868) Amendment \* [200]; Matrimonial Causes and Marriage Law (Ireland) \* [223]; Norfolk Boundary \* [217], and passed.

Third Reading—Petty Sessions Clerk (Ireland) Act (1858) Amendment \* [236]; Real Actions Abolition (Ireland) \* [242]; Pensions Commutation Amendment \* [244], and passed.

Withdrawn — Shaanon Navigation (*re-comm.*) \* [240]; Merchant Shipping, &c. Acts Repeal \* [55]; Board of Trade \* [56]; Churchwardens Liability \* [196].

### QUEEN'S PLATES IN IRELAND.

#### QUESTION.

MR. STACPOOLE said, he wished to ask the Secretary to the Treasury, In whose hands the allocation and distribution of the Queen's Plates in Ireland are placed; and, whether, as these Plates are given for the encouragement of the breed of horses, they will be allocated to races in the four different Provinces of Ireland?

MR. STANSFELD said, in reply, that the matter rested with the Master of the

*Lord Northbrook*

Horse. He had no objection to give a Return on the subject.

### ARMY—CONTROL DEPARTMENT.

#### QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for War, When the Return, ordered by the House on the 13th June, of the Savings in detail effected by the Control Department of the War Office, will be laid upon the Table?

MR. CARDWELL said, he believed that the Papers had been laid on the Table already. If not, they certainly would be.

### EPPING FOREST.—QUESTION.

MR. HOLMS said, he would beg to ask the First Lord of the Treasury, Whether no legislation having taken place on the subject of Epping Forest, in compliance with the Address to Her Majesty, presented at the beginning of the Session, praying that Epping Forest may be preserved as an open space for the enjoyment and recreation of the public, he will state what steps the Government are prepared to take to meet that Address until legislation can be had?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I hope the hon. Member will allow me to answer the Question instead of my right hon. Friend. An arrangement was come to with regard to Epping Forest between the Government, as representing the public, the Lords of the Manor, and the commoners; and as that arrangement has been much misrepresented, I will take the liberty briefly of stating what its nature was. There remain unenclosed of Epping Forest 3,000 acres, of which the Lords of the Manor were willing to give 1,000 acres for the use of the public. On the other hand, these 1,000 acres were to be vested in three Commissioners, who were to have the power of selling 400 out of these 1,000 acres, for the purpose of compensating the commoners for the rights which they had over the forest. The remaining 600 acres, with any portion of the 400 acres over which the Metropolitan Board of Works might see fit to exercise the power of purchase reserved to them, were to be reserved and set apart for the use of the public, the Government undertaking on its part to



surrender the forestal rights of the Crown and to bear the expenses of the Bill giving effect to the arrangement. That arrangement was embodied in a Bill; but the Standing Orders Committee were of opinion that it came too late to be proceeded with this Session. That appears to us a fair and reasonable arrangement, securing advantages for the public which the Government have no power of asserting in any other way. The assertion of forestal rights—a most admittedly difficult matter—clearly would not do it. It is, therefore, the intention of the Government to re-introduce the Bill next Session.

#### NAVY—ADMIRALTY CONTRACTS.

##### QUESTION.

SIR JAMES ELPHINSTONE said, he wished to ask the Secretary to the Admiralty, Why in May last the Admiralty, after having invited Tenders for the supply of Coal Sacks, the quality of which, by the sample publicly exhibited, should be of the very best long hemp, accepted the tender of a London firm, who are now delivering coal sacks on account of this contract, the cloth for which, manufactured by Messrs. Baxter Brothers and Co. Dundee, is made of nothing but the refuse of hemp called tow; and, why, if the Admiralty at the last moment prior to giving out the contract determined to substitute a different quality, they did not invite fresh tenders, seeing that with one exception last manufacturer had tendered (being ignorant of any change) to the quality of the pattern first shown? He also wished to ask, at the same time, Why the Admiralty accepted the tender of Mr. E. R. Moberly for the supply of 300 tons of hemp at Chatham Dockyard in April last, at £35 4s. per ton, whilst they had in their possession a tender for the supply of the same hemp at £34 10s.?

MR. BAXTER: Sir, the hon. Gentleman seems, somehow or other, always to get hold of the wrong end of the stick. His facts this time are, if possible, more incorrect than ever. No change has been made this year in the quality of coal sacks required for the Navy, nor was any sample publicly exhibited by the quality of which those tendering should be bound. On the contrary, the first condition of contract was “a sample

of the material of which it is proposed to make the coal sacks must accompany the tender.” A change, indeed, was made last year, and it was this. I found on entering Office that a London firm, who, I believe, bought the goods from Messrs. Baxter Brothers and Co., of Dundee, had had for many years practically a monopoly of the supply of coal sacks to the Admiralty. This monopoly I tried to break up by inviting by public advertisement to manufacturers or others to send sacks suitable for the purpose. From long experience of such goods, I fixed upon a sample sack extensively used by the great Atlantic steam ship companies as not only cheaper, but in some respects much better adapted for the purpose than that which had been formerly used in the Navy. On opening the tender which accompanied it I found that it was from the same firm who had supplied the other article for many years. Now as to hemp. The House, of course, will agree with me that only hemp of the very best quality should be purchased for use in the Navy. The lowest tender for delivery of Russian hemp at Chatham was from a gentleman who had never supplied the article before; and it therefore became our duty to inquire in various quarters not only as to his standing, but as to his means of obtaining that superior article which we wanted. The testimony was unanimous that, although a person of respectability, he was not in a position to insure our getting the best quality of hemp. He is not in that trade himself, but acts as agent for persons abroad who ship a very inferior article. In these circumstances I did not hesitate a moment in accepting the next lowest offer, being that of Mr. Moberly, who is one of the largest hemp merchants in the City, and has for many years supplied successive Boards of Admiralty. I cannot help remarking, Sir, that questions of this sort, especially when explanations have been given privately, tend only to injure individuals, and not to benefit the public service.

#### ARMY—STRENGTH OF THE BRITISH ARMY.—QUESTION.

CAPTAIN TALBOT said, he would beg to ask the Secretary of State for War, If he will state the strength of the British Army at the present time, including that

portion of it serving in India—the number being, according to the Estimates presented in February last, 178,000 men?

MR. CARDWELL: Sir, including all ranks on the 1st of July the whole Army, including the regiments in India and their depôts, was below the numbers given in the Estimates 2,590 men. This deficiency arises entirely on the regiments in India and their depôts, and is not extraordinary, but due to well-understood arrangements, under which—Firstly, the regiments in India about to return home do not receive any draft to make up their casualties within a period of two years before their return; and, secondly, the Indian depôts, which were emptied in the early months of the year on the embarkation of their drafts, have only recently commenced recruiting for the drafts for next winter and spring. I believe the deficiency on the Indian establishment is less than it has been for years past.

#### IRELAND—THE DERRY CELEBRATIONS.

##### QUESTION.

COLONEL STUART KNOX said, he wished to ask Mr. Solicitor General for Ireland, Whether his attention has been drawn to a proclamation published in the Derry Liberal Journals by the Derry Liberal Defence Association, calling upon the Roman Catholics of that city and the adjoining districts to assemble and suppress by force the annual historical celebrations of the Apprentice Boys on the 12th of August; and, whether he will endeavour to secure the withdrawal of this manifesto; and, what steps Her Majesty's Government intend taking for the preservation of the peace and the protection of the loyal citizens of Derry on the day in question in the event of his intervention proving unavailing? He put these questions to the hon. and learned Gentleman not merely as Solicitor General for Ireland, but as Member for the city of Londonderry, and because, upon several occasions, he had claimed especially to represent the Roman Catholics of the North of Ireland. ["Order, order!"]

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE), in reply, said, he would begin by stating that he had never claimed especially to represent the Roman Catholics of the North of Ireland. ["Order, order!"] His attention had

been called to an advertisement, which he supposed was what the hon. and gallant Gentleman called a proclamation, addressed to the Roman Catholics, and, without expressing an opinion as to whether a correct construction had been put upon that document by the hon. and gallant Member, he would say, on behalf of the Government, that all the power at their disposal would be used to preserve the peace and uphold the law on the occasion of the coming anniversary. For himself, he might add that no exertions would be wanting to bring about that result. He was sensible, however, that the hon. and gallant Member, and those who acted with him, could exercise an influence quite as great as his own in maintaining the peace at the approaching commemoration. He could assure the hon. and gallant Gentleman and the House that the Government were fully alive to the importance of protecting all the inhabitants of Derry at all times, and he believed that all, without exception, were entitled to the name of loyal subjects of the Queen.

#### BURDENS ON REAL PROPERTY.

##### QUESTION.

MR. ACLAND said, he wished to ask the President of the Poor Law Board, Whether he will be enabled to lay upon the Table of the House, before the close of the Session, the information which he proposed to obtain from Foreign Governments concerning the burdens on real property in their particular Countries, and the aggregate of local as compared with Imperial taxation?

MR. GOSCHEN, in reply, said, he should be prepared to lay the information asked for upon the Table before the close of the Session. Papers had been received from different foreign countries with reference to their local taxation, and the result would be embodied in tables for the information of the House. Of these, the first would show the local expenditure incurred in this country and the different foreign countries from which Returns had been received; the second would exhibit the progress of local taxation from the beginning of the century until now, as far as this was available; the third would show the taxation, local and Imperial, falling respectively upon lands, houses, and other kinds of property; the fourth



would show the information received from France, Prussia, Austria, Hungary, Russia, Holland, and Belgium; and, lastly, the tables would show the comparative burdens upon all the countries in Europe from which information had been obtained.

#### TAXATION OF OWNERS.—QUESTION.

MR. ACLAND said, he would beg to ask the First Lord of the Treasury, Whether the Government will take into consideration the Resolution of the Select Committee on Local Taxation, that "it is expedient to make owners as well as occupiers directly liable for a certain proportion of the rates," with a view to provide that in parishes in which School Boards shall be established the charge for building and maintaining Schools beyond the Moneys provided out of Imperial Funds by Parliament may not fall exclusively on resident occupiers not being owners?

SIR MASSEY LOPES said, he wished, before the Question was answered, to point out to the right hon. Gentleman at the head of the Government that the final paragraph of the Resolution of the Committee stated that the inquiry on which they had been engaged formed only one branch of the general question, and that other considerations besides those submitted to them ought to be taken into account in any general measure on the subject. Under those circumstances he would beg to ask, if it would not be premature to express any opinion on the question before the labours of the Committee had been somewhat more advanced?

MR. GLADSTONE said, in reply, that the Government would, of course, take into consideration the Resolutions of the Select Committee; but it was obviously impossible to state whether the order of succession would apply first to an education rate, or to any change which might be made in the law of rating. The Select Committee, as they themselves stated, had only considered one important branch of the question of local taxation, and the Government hitherto had not enjoyed a sufficient opportunity of considering these Resolutions and the evidence upon which they were based, to give any definite pledge as to the order of their own proceeding.

#### SUPPLYING BELLIGERENTS WITH COALS.—QUESTION.

MR. STAPLETON said, he would beg to ask the First Lord of the Treasury, Whether his attention has been called to the report that the French fleet in the Baltic is to be supplied with coal direct from this Country; whether it would be consistent with neutrality to allow any vessels, either French, English, or others, to carry coal direct from this Country to a belligerent fleet at sea; and, whether English vessels so engaged would be entitled to the protection of their Country if the other belligerent should treat them as enemies, considering them part of the armament to which they were acting as tenders?

MR. GLADSTONE: Sir, the House has already been apprised, on more than one occasion, that there is nothing in a general way to prevent the exportation of coal from this country. If either of the belligerents capture those vessels supplying coal, the question whether it is contraband of war will be a question for the consideration of the Court of the captors. But the hon. Gentleman has called attention to a particular case; and although the exportation of coal is not generally prohibited, exporters being warned that if it be supplied to either of the belligerents they run the risk of capture, yet of course the case reported, which I can neither affirm nor deny, as I have no more knowledge of it than he has—that is to say, the knowledge derived from general rumour—presents itself under a somewhat different aspect, and in that form the question has been referred to the Law Officers of the Crown. They have given their opinion, which we have adopted, that if colliers are chartered for the purpose of attending the fleet of a belligerent, and supplying that fleet with coal for the purpose of enabling it to pursue its hostile operations, such colliers would, to all practical intents and purposes, become store-ships to that fleet, and if that fact were established they would be liable, if within reach, to the operation of the English law under the provisions of the Foreign Enlistment Act. It will be the duty of the Government, and they will act upon that duty, when such reports arise, to institute searching inquiries into the existence of any such cases.

## ARMY—THE VOLUNTEER FORCE.

## QUESTION.

MR. ANDERSON said, he would beg to ask the Secretary of State for War, If, in the present state of Europe, it is not expedient to show more consideration for the Volunteer Force by at once intimating that five shillings will be added to the extra efficiency grant for the present year, leaving the new grant for officers and non-commissioned officers to come into effect as previously proposed?

MR. CARDWELL: Sir, Her Majesty's Government are most desirous to show the fullest consideration to the Volunteer Force. They consider that the mode in which it is proposed to give the increased grant is the mode best calculated to increase the efficiency of the force. The regulations are in a forward state, and I hope will be shortly issued, so as to enable the Volunteers to avail themselves of them without delay.

## ARMY—DEFENSIVE FORCES OF THIS COUNTRY.—QUESTION.

MR. OSBORNE: I beg to ask the Secretary of State for War, Whether in the present warlike aspect of Continental Affairs, taking into account the large armies brought into the field, and the sudden manner in which war has been proclaimed, it would not be advisable to lose no time in augmenting the defensive forces of the Country by at once increasing the Militia, and adding to the effective strength of the Royal Artillery; and, whether efficient arrangements exist for enabling the Regular Forces, Militia, and Volunteers to take the field thoroughly equipped in point of arms, camp equipage, and commissariat? I have also another Question to ask, and, although I have not given the right hon. Gentleman Notice of it, I am sure he will be delighted to answer it. The 44th Regiment is, at present, under immediate orders for embarkation to the Cape of Good Hope; and I wish to ask whether, taking these circumstances into consideration, that order will not be countermanded?

MR. CARDWELL: Sir, it is the intention of Her Majesty's Government, as I have already announced, by bringing up a Supplementary Estimate, to augment the defensive forces of the

country. In so doing no doubt the state of the Militia and of the Royal Artillery will receive the due consideration of Her Majesty's Government; but I take this opportunity of observing that the Militia has already been recruited up to its full extent. [MR. OSBORNE: Not in Ireland.] No, not in Ireland; but in this country it has been recruited up to its full extent. With regard to the Royal Artillery, I am not prepared to admit anything that would tend to show that they are not in the most efficient state. With regard to the second Question, if it is to be supposed that the supply departments have been maintained in a condition equal to the supply of an Army of between 350,000 and 400,000 men, I must answer it in the negative; but if it means that those departments have sufficient expansiveness to enable them to meet the probable requirements of the service, I answer it in the affirmative. As to the 44th Regiment, it is not the intention of Her Majesty's Government to send that regiment abroad.

## DEFENCE OF THE BRISTOL CHANNEL.

## QUESTION.

MR. R. BRIGHT said, he would beg to ask the Secretary of State for War, In what state the works for the defence of the Bristol Channel are; and, whether the Government intend completing them without further delay?

MR. CARDWELL: Sir, three out of the four works are ready for the reception of their armament, except for some minor details which are in course of execution. One battery only is unfinished—that near Cardiff—and that is in full progress.

## ARMY—THE WIMBLEDON REVIEW.

## QUESTION.

COLONEL BERESFORD said, he would beg to ask the Secretary of State for War, Who was responsible for the details of the Review held at Wimbledon Common on Saturday the 23rd instant; and, whether, notwithstanding the answer given to the honourable and gallant Member for Stafford (Captain Talbot) as to the strength of the Army, it is not true that the 44th Regiment of Foot, ordered abroad, is not short several hundred men?



MR. CARDWELL: Sir, the preliminary arrangements for the review at Wimbledon on the 23rd instant were made at the War Office, and the command of the troops on the ground rested with Sir Hope Grant. The 44th Regiment is not several hundred men below its strength; but on Friday, the 29th ultimo, was only 81 below its establishment. The establishment of the 44th Foot was increased from 500 to 650 rank and file; of this increase it has already raised 69 men, leaving 81 men additional to be recruited.

#### IRELAND—TELEGRAPHIC COMMUNICATION.—QUESTION.

MR. M'MAHON said, he wished to ask the Postmaster General, Whether it is his intention to establish telegraphic communication between Tuskar Lighthouse and the Wexford shore?

THE MARQUESS OF HARTINGTON said, in reply, that if it should prove on inquiry that the number of messages transmitted between Tuskar Lighthouse and the coast of Wexford were sufficient to warrant it, there could be no difficulty in establishing telegraphic communication between them.

Afterwards—

MR. STACPOOLE said, he wished to ask the Postmaster General, When rapid and regular telegraphic communication is to be afforded to Ireland, through the agency of the new cable, which some time since he informed the House it was intended to lay down between Ireland and England?

THE MARQUESS OF HARTINGTON said, in reply, that he hoped a new telegraphic cable would be laid between England and Ireland in the course of the coming autumn.

#### TURKEY—EMBASSY AT PERA.

##### QUESTION.

MR. MONK said, he wished to ask the Secretary to the Treasury, Whether he will give the House an opportunity of expressing its opinion on Major Crossman's estimate of the cost of rebuilding and refitting the Embassy at Pera, before the Government allow contracts to be entered into for so large an expenditure?

MR. STANSFELD said, in reply, that, though Her Majesty's Government could not lay estimates on the Table of

the House, they would not, considering the largeness of the amount involved in the question, enter into any contract till the House had had an opportunity of expressing its opinion.

#### ARMY—DIRECT COMMISSIONS.

##### QUESTION.

SIR JOHN LUBBOCK said, he would beg to ask the Secretary of State for War, Whether, as the last examination under the old system has now taken place, he has any objection to state what is intended to be the future scheme of examination in the case of candidates for direct commissions; and, what scheme is to be finally adopted with reference to the examination of candidates for admission to Woolwich and Sandhurst?

MR. CARDWELL: Sir, an examination of 500 candidates for direct commissions was held on the 25th of July. The number that will probably pass will be so large that there is no need for any very early examination of further candidates. The new regulations are under consideration, and will be published in good time for the next examination. The scheme for the next Woolwich examination will be adhered to, and that for future examinations is under consideration. The Report of the Royal Commission upon Sandhurst has only just been received, and no decision has yet been taken upon it.

#### ARMY—OFFICERS IN THE RESERVE FORCES.—QUESTION.

MR. W. E. PRICE said, he would beg to ask the Secretary of State for War, with reference to the schools which in his statement on introducing the Army Estimates, he stated it to be the intention of Government to establish, for the instruction of Officers of the Reserve Forces, When and where such schools will be established, and on what terms Militia Officers will be permitted or required to attend them; and, whether there is any chance of such schools being established in time to permit of Volunteer Officers availing themselves of them before the end of the Volunteer year, 30th November 1870?

MR. CARDWELL: Sir, it is proposed to establish the schools for the artillery at Woolwich, for the engineers at Chatham, and for the infantry at

Aldershot, London, Glasgow, and Manchester. We shall endeavour to publish the Regulations, so as to open them on September 1. Militia officers will be permitted, but not required, to attend, and will receive the same allowance of 5*s.* a day which they now receive when they attend regiments of the line.

#### DEAN AND CHAPTER OF DURHAM.

##### QUESTION.

MR. STEVENSON said, he would beg to ask the honourable Member for North Devon, Whether negotiations are in progress, and, if so, when they are likely to be terminated for the transfer of the Estates of the Dean and Chapter of Durham to the Church Estates Commissioners; whether in case of such transfer the facilities hitherto enjoyed by the lessees for the enfranchisement of their leaseholds will be continued on terms of valuation recognizing their hitherto unbroken right of renewal; and, whether the Church Estates Commissioners have the power to commute the terms of enfranchisement into fixed annual payments chargeable on the enfranchised premises, and redeemable at a fixed number of years' purchase at the option of the lessee?

MR. ACLAND: Sir, the negotiations for the commutation of the Durham Chapter Estates have been for some time in progress, and hopes are entertained by the Commissioners that the arrangement will be brought to a speedy termination, but it is not practicable to specify the time when the business will be concluded. The Commissioners, in the event of the property becoming vested in the Board, will afford for the enfranchisement of the Durham Chapter leaseholds the same facilities as they have given in several thousand cases of other beneficial leases, which have been dealt with in a manner satisfactory both to the lessees and to Parliament, although no unbroken right of renewal has ever been recognized. The Commissioners have the power to commute the terms of enfranchisement into fixed annual payments, redeemable at a fixed number of years' purchase; but such an arrangement has been found so inconvenient, even to the lessees, that it is never acted upon. There is, however, no objection to making arrangement for the gradual payment of the price of enfranchisement.

*Mr. Cardwell*

#### POOR LAW—DISPENSARY SYSTEM.

##### QUESTION.

SIR MICHAEL HICKS-BEACH said, he wished to ask the President of the Poor Law Board, Whether he will issue any general instructions or regulations to Dispensary Committees or Boards of Guardians on the following points, with a view to secure a uniform and efficient dispensary system throughout the metropolis:—1, as to the classes entitled to gratuitous medical relief; 2, as to the area and pauper population to be attached to each dispensary; 3, as to the requisite accommodation and furniture at each dispensary, and the number, duties, and remuneration of the medical and other officers; and, whether care will be taken to secure a registration of the various diseases, and the treatment adopted?

MR. GÖSCHEN said, in reply, that no general regulations would be issued as to the classes entitled to gratuitous medical relief. They would be the same classes as were now entitled to out-door relief. The area and pauper population attached to each dispensary had been, and would be, fixed according to the varying circumstances of each particular Union. As to the third Question of the hon. Baronet, the Poor Law Board insisted upon proper accommodation and furniture for each dispensary, and the regulations in these respects had been agreed to by the Boards of Guardians. General regulations would be issued with regard to the conduct of business, the attendance of the medical officers, and so forth, and care would be taken to have the several diseases and their treatment registered.

#### PARLIAMENT—PUBLIC BUSINESS— BILLS IN PROGRESS.—QUESTION.

MR. NEWDEGATE said, he would beg to ask the First Lord of the Treasury, Whether, as the Ecclesiastical Titles Act Repeal Bill stands twelfth, and the Glebes Loan Bill seventh on a Paper of forty-five Orders, it is the intention of the right hon. Gentleman to proceed with those Bills; and, if so, will the right hon. Gentleman say after what hour that night he would not proceed with either of them?

MR. LOCKE KING said, he would beg to ask, Whether the Government



will proceed with the Table of Lessons Bill at this late period of the Session?

MR. GLADSTONE said, in reply, that the Ecclesiastical Titles Act Repeal Bill had not been discussed, and, therefore, he would not take it that night, but proposed to do so on Thursday. The Glebes Loan Bill had been discussed, and therefore might be very properly taken at any hour. The Table of Lessons Bill had come to them with great weight of authority, and Her Majesty's Government would certainly think it their duty to take the judgment of the House upon it with a view to carrying it on.

#### UNEMPLOYED LABOUR.—QUESTION.

In reply to Mr. W. H. SMITH,

MR. W. M. TORRENS said, as Tuesday, which was generally devoted to private Members, was now claimed by the Government for the conduct of Public Business, the question which he was anxious to submit to the notice of the House with regard to the want of employment, and which he had fixed for the 2nd of August, he should be unable to bring forward. He would, therefore, move that the Order be discharged.

#### GREECE—MURDER OF BRITISH SUBJECTS BY BRIGANDS.—QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the right hon. Member for Tamworth, What day he will call attention to the case of the Englishmen massacred in Greece on the 21st of April last?

SIR HENRY LYTTON BULWER said, in reply, that he had been anxious to comply with any desires that might have been expressed on the subject by the Prime Minister; but as his right hon. Friend seemed not to think it necessary to make any formal request, he would bring the question forward tomorrow on going into Supply, unless some other arrangement was suggested.

#### INCLOSURE BILL.—QUESTION.

In reply to Mr. FAWCETT,

MR. KNATCHBULL-HUGESSEN said, he would not bring the Bill on that night after 2 o'clock.

MR. FAWCETT: I will do all in my power to oppose the Bill if brought on at that time.

MR. KNATCHBULL-HUGESSEN: Well, not after 1 o'clock. ["No!"]

#### SUPPLY.

Resolutions [July 29] reported.

#### THE WAR.—OBSERVATIONS.

MR. DISRAELI: Sir, I think it will be for the public advantage that, before we disperse, there should be some notice taken by the House of Commons of the present critical state of affairs on the Continent of Europe. During the time that I have been a Member of this House I have witnessed the origin of several European wars, and I have observed that ultimately much injury has been occasioned by the silence and reserve which the House of Commons, actuated by praiseworthy motives, has thought it for the public interest to adopt. To a Minister himself, in a state of affairs so critical as the present, I believe there is nothing more valuable than the intelligent and discriminating sympathy of the House of Commons, and when he appeals to Parliament in vindication of his policy, remembering that he is no longer influenced by those considerations of convenience which are the necessary result of our usual party discipline, but that he can appeal with confidence to a patriotic Parliament, that Minister is in a strong and, I will even say, a proud position. But, speaking from my own experience of these matters, I am bound to say that the House of Commons has in general not appreciated the situation of affairs in the same manner as the Minister. They have thought that by silence they were aiding the Government, and it has generally happened that by that silence they have embarrassed it, so that when the Parliament and the Ministry have separated this has often occurred—that there have been discordant councils, contradictory policy, great infirmity of action, and, ultimately, when we have met together, we have found that the country has been committed to a course to which it would not have been committed had there been more frank communication between the House and the Ministry, more precision of knowledge, and more

clearness of opinion. Now, under these circumstances, I have, after anxious consideration, felt it my duty to make some observations which may lead, on the part of the Government, to comments and explanations that I cannot help thinking will be, on the whole, of advantage to the public. The House is well aware that two of the greatest Powers of Europe have embarked in a war which one who ought to be a judge of the matter believes will be a long and severe one. I trust that is an erroneous judgment—that it is a prophecy which will not be fulfilled. But I cannot help thinking, that in order to insure the restoration of peace to Europe, it would be of much advantage that England should clearly comprehend its position with regard to the belligerent parties, and, comprehending that position, should be able to indicate the policy which, on the whole, may be thought most calculated to lead to the restoration of peace. I will not, Sir, on this occasion notice the pretexts that have been made for this war. They are really of a character so ephemeral and evanescent, they are so clearly pretexts, so merely the semblance of causes, that I do not think it necessary at this time of day to dwell on them. Whether there was a pretender to the Spanish Throne, or whether there was a breach of etiquette at a watering-place, or whether Europe is to be devastated on account of the publication of an anonymous paragraph in a newspaper—these are causes which I do not think it becomes the House of Commons to consider. They would have been disgraceful even to the 18th century, and I am certain that they could not seriously influence the conduct of any considerable body of men in the age in which we live. In fact, the pretexts have disappeared, and the cause is not now difficult to denote: I shall not dwell even upon that at any length. I merely refer to it because some clear appreciation of the circumstances which have led to this sad state of affairs is necessary to the observations which, with the permission of the House, I am about to make. The cause of the present war may, in a great degree, be ascertained by the declarations which have been made by the most eminent statesmen of both belligerent countries. The President of the French Senate has very recently, on a solemn occasion, repre-

sented that august body on a great crisis of public affairs, announced, and announced with the highest authority, that the French nation, or the French Government, has been preparing for this war for four years. Certainly the individual who made that declaration was in a position to judge of the matter, because during the greater part of that interval he was the able and vigorous Minister of France. On the other hand, the Prime Minister of Prussia, when he received from the Ambassador of the Queen his complacent congratulations on the termination of all his difficulties, with cynical incredulity acknowledged to his Excellency that the withdrawal of the German Prince had really nothing to do with the events that were about to occur. Sir, these two public declarations by these two eminent persons assist us in ascertaining what is the cause of the war; and even if we had not had these declarations, the remarkable document which has recently been made public—I mean the Project of a Treaty not executed—would assist us. Sir, upon that document I am not going to dwell, nor upon other documents of the same character which I doubt not are in existence. It would be inconvenient to do so; it would lead to no good. But I think the House of Commons may arrive, without offending anyone, at this result—that there are vast ambitions stirring in Europe, and many subtle schemes devised; that they have already produced the war that is about to rage, and probably may lead to events of the utmost importance. It becomes, therefore, our duty, I think, to ascertain, as clearly as we can, our position with respect to the belligerents. Now, Sir, in the Papers which are on the Table of the House, there are references to two Treaties to which this country was a party, and to which both of the belligerent Powers were parties. One of those Treaties is a Treaty which secures nominally the neutrality, but really the independence, of the Kingdom of Belgium. Upon that Treaty I would first observe that it is not an ancient Treaty; it is not a Treaty that we have inherited from the dark period, when this country was governed by a Pitt, or when its affairs were administered even by a Castlereagh. The engagement to secure the neutrality of Belgium is a modern diplomatic engagement, created in the age of “peace,



reform, and retrenchment." The most distinguished Members of the Liberal party negotiated and advised their Sovereign to ratify it amid the sympathetic applause of all enlightened Englishmen. Sir, I have no doubt that the distinguished men who negotiated that Treaty, as the representatives of the great Liberal party, were influenced in the course they took by the traditions of English policy. They negotiated that Treaty for the general advantage of Europe, but with a clear appreciation of the importance of its provisions to England. It had always been held by the Government of this country that it was for the interest of England that the countries on the European Coast extending from Dunkirk and Ostend to the islands of the North Sea should be possessed by free and flourishing communities, practising the arts of peace, enjoying the rights of liberty, and following those pursuits of commerce which tend to the civilization of man, and should not be in the possession of a great military Power, one of the principles of whose existence necessarily must be to aim at a preponderating influence in Europe. But, Sir, at this moment, the neutrality which we guaranteed by that Treaty is not outraged, and, I trust, is not menaced; and therefore I will now dwell no more upon it. The other Treaty referred to in the Papers is a Treaty of a similar character. It is also a Treaty of neutrality. It is the Treaty which guarantees the neutrality of Luxemburg. I do not shrink from my share of the responsibility for that Treaty. The scope of that Treaty, although a Treaty of neutrality, is not so large as the scope of the Treaty which secures the neutrality of Belgium; but the policy which it indicates is an analogous policy. It is a Treaty in favour of peace—a Treaty which would limit the warlike area of Europe. Now, the House will observe that these Treaties, referred to in the Papers, are both of the same character, that they are guarantees of neutrality; and we may say of the second Treaty, which guarantees the neutrality of Luxemburg, as I have said of the preceding one, that its neutrality is not outraged, and I hope it is not menaced. And I refer to them now only because in this part of my remarks I wish the House clearly to understand the nature of those Treaties. They are Treaties to guarantee neutrality.

But there are other engagements which this country has contracted with regard to the belligerents that are of a different character, and are deserving the serious consideration of the House at this moment, because they are engagements which guarantee not neutrality, but territory. Sir, by the Treaty of Vienna England has entered into a guarantee—probably the most solemn guarantee which England ever made in modern times—to one of the belligerents—namely, the guarantee to Prussia of the Saxon Provinces which were apportioned to her by the Treaty of Vienna. Now, the circumstances under which that guarantee was given were of a peculiar description. They are upon record, and I have referred to them. It appears that when it was proposed to Prussia to assume the government of this portion of the then Kingdom of Saxony Prussia refused to undertake the responsibility. Prussia believed that already, by the distribution of territories which had been made at the Congress of Vienna she had incurred a greater responsibility than was expedient for her interests, and she absolutely declined to accept these provinces unless Great Britain gave her a guarantee. Lord Castlereagh, who was our Foreign Minister at that moment and also present at the Congress, declined to give that guarantee. Prussia, under these circumstances, announced that she would withdraw altogether from the Congress of Vienna, and, in that event, all the arrangements that had been projected on that memorable occasion would have fallen to the ground. After considerable negotiation it was proposed that the other great Powers should each give a guarantee—a separate, not a joint guarantee—to Prussia to the desired effect, if England would assent; and ultimately, in order to secure the fulfilment of the plans which were brought about at Vienna, Great Britain gave this guarantee of those provinces to Prussia. Now, I would wish the House to observe—and this is a point on which it would be interesting to receive information from the Government—that a guarantee of territory, and particularly this guarantee of territory to a belligerent, is very different from a guarantee of neutrality, although the belligerent may be a party to the Treaty, because these provinces may be the seat of war to-morrow, and the position of England is such that

if by any chance Prussia were defeated in that part of her kingdom she might call upon Great Britain to fulfil that guarantee. Sir, I would stop here, before I advert further to this important point, to say that it does appear to me that these engagements which have been entered into by Great Britain not merely with respect to the guarantee of territory to Prussia, but with respect to the guarantees of the neutrality of two countries interesting to both of the belligerents, were engagements which ought to have given a great, and I should have said, an irresistible, influence to our Government in protesting against this war which is about to take place. And I have not yet received that satisfactory evidence which I could desire that proper advantage has been taken of our legitimate position in this respect. Sir, I would say with regard to the guarantee of the neutrality of Luxemburg, that that guarantee was not given hastily; it was given with much hesitation, after anxious inquiry from both of the belligerents with respect to all those points of difference between them which might possibly arise; and it was ultimately given on their representation that if war was thus prevented all other points of controversy might in all probability be settled satisfactorily by diplomatic means. Now, it appears to me that on this subject the Government of England, representing the Sovereign who entered into this important Treaty, has a claim on the forbearance and deference of the belligerents which no other party could bring forward. Having made that observation, I would venture to say that formidable as may at first sight appear the responsibility of guaranteeing the Saxon Provinces of Prussia, there is in this, as in most other instances, no unmixed evil to be apprehended. I perceive even in these embarrassing engagements circumstances which, if wisely managed by the Government—and I am prepared to give credit to the Government, in all the difficulties that may await them in these affairs, for the exercise of the requisite ability—I say it has appeared to me that even in the extreme difficulty of the present moment, there are indications of means by which the great purpose of England, which I take to be the restoration of peace, may be effected. The House will observe that besides Great Britain, there are, as conditioned by Lord Castlereagh,

three other great Powers that joined in guaranteeing the Saxon Provinces to Prussia. The guarantee of France—that has of course ceased, because war abolishes all Treaties. The guarantee of Austria ceased four years ago by the war of 1866. But the guarantee which was given by another great Power of Europe—namely Russia, exists at this moment, and exists in as full force as that of England, and it appears to me that we see here indicated a means of joint influence for the restoration of peace which, even under the peculiar circumstances in which we are placed, this Treaty furnishes us with. An alliance—I will not use the word “alliance,” because it may give rise to some misapprehension; but a cordial understanding between England and Russia to restore peace as a natural consequence of the position in which both countries are placed with respect to the belligerents by the guaranteeing of those provinces to Prussia—a cordial understanding and co-operation between these two great Powers would be liable to no sinister interpretation, and excite no suspicion, because, as I have just said, it would be a natural consequence of their diplomatic engagements. I hope, therefore, there will be between Her Majesty's Government and Russia not a mere general exchange of platitudes as to the advantages of restoring peace and averting the horrors of war, but something more. I hope they will confer together as two great Powers who have entered into the same engagements, and as two Powers who themselves may be forced to take the part of belligerents. Now, Her Majesty's Government have announced a general policy to the House. I, for one, give my support to the policy of the Government as a policy of neutrality, and as far as I can collect from those public sources which are open to everyone, having, of course, no private information, the policy of Russia also is a policy of neutrality; but when both these great Powers profess the same general policy, and both of them have this particular engagement, it appears to me that here are elements by which the policy of neutrality may partake practically of so active a character that representations at the proper moment may lead to the restoration of peace. I think the House will agree with me that excellent as is the policy of neutrality,



the policy of neutrality which cannot on the right occasion speak with authority to the belligerents is really a policy not entitled to respect. The first object of a policy of neutrality is, no doubt, to protect our fellow-subjects from the calamity of war. The second object of a policy of neutrality is to be able on the right occasion—on an occasion such as may be produced by the equal fortunes in the field of the belligerents, or by the overwhelming success of one of them, or by any one of a thousand accidents—to be able to counsel the belligerents and bring about the restoration of peace; because while you impress on the parties the importance of such a result, you show them at the same time that you have the power to enforce, if necessary, the adoption of the course you recommend. Therefore, Sir, it appears to me that the policy of England should be not only neutrality, but armed neutrality, and if the policy of Russia happens to be the same—and on the representation of England it might be the same—then, when the opportunity comes—and an opportunity may come sooner than those who believe in long and severe wars contemplate—the joint representation of two such Powers as Great Britain and Russia, preserving a neutrality, but exercising an armed neutrality, no one can doubt might exercise a profitable effect on the course of public affairs. Now Sir, if it be wise in Her Majesty's Government to preserve a neutrality, and to take care that that neutrality is upheld by power, and if, as I believe, the safest and best chance we have of effecting the restoration of peace in Europe is by an armed neutrality, then the question at such a moment appears to me to be this—are our armaments in such a condition as enables us to adopt such a policy? I have heard with much satisfaction at the commencement of the business of this evening, that there was a Vote to be proposed for an increase in the number of men in the Army, and, as I collected, of men for the Navy. No one can doubt that Her Majesty's Government were thoroughly justified in taking that course, and I think they may trust to the unanimous support of the House of Commons in any proposal of that kind which on their responsibility they may make. I should say myself if I could place implicit confidence in general but vague

descriptions of our present forces, that with the supplementary addition now proposed our position is one not altogether unsatisfactory, I do not wish to throw any doubt on the authenticity of statements recently made by persons in high authority; but those statements were necessarily vague, and statements that are vague are sometimes necessarily ambiguous. I think, therefore, that on the present occasion it would be satisfactory if we received assurances from the Government, more in detail, as to the condition of our forces. We have been told that the state of our Navy is efficient. I am not prepared to deny it; but I can only say myself that when we hear of squadrons of the belligerents passing in sight of our cliffs, I should like to hear at the same time of a strong Channel Fleet. When we hear rumours of wars in the northern seas, I should like to be assured that if by any unhappy causes we are mixed up in these wars, and if our disabled ships should wish to return for a time to dock or to reach a factory, it would not be necessary for them to go to Portsmouth. I should like also to receive from Her Majesty's Government some information on a point which I have not yet touched on, and which has not been touched on in any public address which has met my eye—I allude to the state of the forts which at an incredible expense were erected to defend our arsenals. When the late Government retired from Office I had the satisfaction of hearing—at least such is my recollection—that the construction of these forts was virtually completed, or nearly so. As £13,000,000, or something like that amount, had then been expended on these forts, I think it is time that that completion should have taken place; but I have heard nothing since of the armament of those forts. Plans for those armaments were placed before the late Administration; and let me impress this on the House—that if those forts receive no armaments they will be a source of weakness and not of strength. I, therefore, think this is a point on which some information would be desirable. I should like to know what is the number of the ships we have on the slips, and whether there has been that increase in the building of ships which is necessary to sustain the Navy in a time of war, because we know that

the construction of ships is not an affair of days, of weeks, or of months. I should be glad, also, to know what is the real condition of our stores, especially in reference to our fuel and coaling stations. Her Majesty's Government may be enabled to give satisfactory replies on all these questions, and I do not know that they could do anything which the country would deem more gratifying; but when we hear that the fleet is efficient, and that the condition in which the country now stands is satisfactory, it is not unreasonable that in the House of Commons these questions should be asked, and this information should be elicited. I will not at any length pursue the same inquiries with respect to the Army, the state of which we have also been assured is satisfactory, the House having been told that at no time has there been a greater number of regular troops in the country than at the present moment. That is a circumstance which, no doubt, may be a source of some satisfaction; but still one may ask these questions—Have you an efficient Army? Are your battalions of becoming strength? Are the numbers of the cavalry regiments what they ought to be? Are your batteries complete? And have you that supply of the arms of precision which in these days is requisite? We hear a great deal of our Volunteer Force, and no one appreciates that force more than myself? I have expressed that sentiment before, as I express it now. I think that truly national institution has increased the power of England and her weight and influence in the councils of Europe. But how is our Volunteer Force armed? Have measures been taken to place this great body of men, whose discipline and patriotism we have a right to trust to when brought in collision with an enemy on equal terms, so as to have an equal chance with such enemy? I must not be taken as insinuating charges against the Government; but when we are favoured with vague descriptions of the armaments of this country, it is absolutely necessary, in a moment like the present, that we should press for some details on these vital points. Nor can the Government hesitate to answer us with frankness; because if they admit that on all these points the condition of the country is not such as they desire, they know now that they can appeal to

a House of Commons which will not criticize their Estimates, which will feel that their Estimates were brought forward with a sense of responsibility adequate to the occasion; and, much as public economy is estimated on both sides of the House, I hope, yet, in a crisis like the present, any body of men, being Ministers of this country, can never appeal in vain to the House of Commons in order that the country may be placed in a state of adequate and complete defence. There is one observation I wish to make on the diplomatic part of the subject before us. I am told that the other night an hon. Gentleman on the other side of the House (Mr. Rylands) moved for the throwing out of the Estimates the whole Vote for the Diplomatic Service, on the ground that we had been taken by surprise in this matter, and that, consequently, events had proved that that service was of no use whatever. The Gentleman in question is, I believe, a young Member, and in his views was no doubt influenced by a juvenile ardour for economy. If I could adopt the same view of these transactions as the hon. Member has I should be ready to support him. I make no doubt myself that Earl Granville was surprised, for that noble Lord only shortly—I may say a few hours—before was administering the duties of a Department the business of which was quite remote from the consideration of such a question, and I can easily conceive—it is no reproach to Lord Granville—that on him the present state of Europe may have come down with some degree of startling suddenness. I have, however, too great confidence in the ability of the right hon. Gentleman opposite, and I know too well, from my own personal knowledge, the admirable manner in which the country is served by the diplomatic service, to believe that these transactions fell with the same suddenness on the Prime Minister of England. The Prime Minister of England and the Earl of Clarendon were, I have no doubt, as perfectly well informed as the French Government, and I have always been of opinion that the English Government was better served, and gets its information more surely, and generally more speedily, than any other Government. By one of the Papers laid before Parliament it appears that the Secretary of State of France knew in March, 1869,



of the intention of proposing a German Prince for the Throne of Spain, and nothing can induce me to believe that Her Majesty's Government were less informed than the French Minister. I cannot doubt myself that the right hon. Gentleman and Lord Clarendon had their minds directed with sleepless vigilance to these circumstances and these possible conjunctures. I would not argue with anybody who told me the opposite: I would say to such a man *naviget Antyciram*, though there is no amount of hellebore he could take that would qualify him to be a Secretary of State. The First Minister of this country and the Foreign Secretary, because they receive information and become acquainted with rumours and a variety of inchoate circumstances which may lead to great public events, do not immediately harass their Colleagues by placing them before the Cabinet. These are matters which they administer themselves until the time arrives when it is necessary for them to ask for the advice of their Colleagues. But this country would, indeed, be in a sad condition if the Prime Minister and Lord Clarendon, only lately the Secretary of State for Foreign Affairs, were so ill-informed of public transactions that they could have been surprised by such a conjuncture of affairs as now occupies our anxious attention. It must be quite evident that when Lord Clarendon carried on those negotiations on the Continent to which the Prime Minister the other night, with some mystery, but with appropriate reserve, referred, that noble Lord was using all his experience and his intelligence, guided and sustained by the Prime Minister, in the attempt to prevent this dire calamity which has fallen on Europe, and save it from the dangers and difficulties which now menace it. I give the right hon. Gentleman full credit for that. I give him credit for being, as becomes his station, perfectly well-informed of all these transactions, and I should have very little confidence in the right hon. Gentleman to steer the ship through the difficulties that await her had he not been so informed; and, therefore, I shall always, until better informed, vote for that item in the Estimates which the young Member the other day moved to omit. But if this view be the correct one—and the honour of England re-

quires that it should be the correct one—then I should like to know how the right hon. Gentleman can reconcile it to his sense of public policy, to his duty to his country and to this House, to have followed the course he has done during the last two years as to the reduction of our armaments. Why were our forces reduced? Why was our only factory dock which would allow of the reception of our disabled ships—Woolwich—dismantled, thus forcing our ships to go round to Portsmouth, and were it war to run the gauntlet of Cherbourg? Why, I say, was that dockyard closed before Chatham was prepared? Why were reductions made in the public service, and especially among the skilled artisans whose experience and abilities we require at this exigency? Why were they banished to Canada or other parts of the world? Why did not the right hon. Gentleman, instead of making reductions, and dealing as he did with the Revenue of the country come forward, and, upon his responsibility, recommend at least that armaments should be given to the forts that are to protect our ships? With the knowledge which he had of the state of affairs of Europe he ought not to have been so confident that he could avert the storm. Now, Sir, I want to press this on the House of Commons not in hostility to the Government, but as a warning to the House and country as to the position it now occupies. I have heard people say that it is a great thing for England in this conjuncture that she has a strong Government. I agree with that: I think it is of advantage that we have men of becoming ability administering our affairs, and supported by a large majority of the House of Commons. But we must not trust too much to these circumstances. We may be proud and we may be glad that these circumstances exist, but their existence does not exonerate the House of Commons from its duty at such a moment. Sir, I remember a Government which was certainly as distinguished for the abilities and influence of its Members as the present. I do not think the right hon. Gentleman opposite would be offended if I said that the Government of Lord Aberdeen—looking to the character of the men, their great position in the country, their vast experience, their eloquence, their high character—I do not think the right hon. Gentleman

opposite would be offended if I said that in these respects even the present Administration was excelled; for four men who sat in Lord Aberdeen's Government have become Prime Ministers of England. That Government was sustained by a majority not less than the present, and was not only supported by their own friends, but in their foreign policy could count on the support of their opponents; and yet, Sir, when a war broke out in Europe during the existence of that Government I think I can say that no one can look back to the Session of 1853 without shame and humiliation. It was at this very period of the year—it was at the end of July—that, after two months of hesitation, Russia crossed the Pruth; and we have it upon record—we have it on authoritative and authentic evidence—that Russia would not have crossed the Pruth if England at that time had been decided; if England had told Russia that it was a question of war with England. But Parliament was silent, Parliament was reserved; Parliament thought it would aid the Ministry by its reserve and by its silence. On the contrary, it embarrassed the Government. The Government separated from Parliament, and you had six months and more of discordant councils and infirm conduct. And what did it end in? In the March of the next year you had to go to war with Russia because she had crossed the Pruth in the preceding July and involved herself in war with Turkey. Now, I think we ought to profit by this experience. There may be questions at the present day on which if England speaks—I need not say with moderation and temper, but with clearness and decision—war will not occur, because the steps that would lead to war will not be pursued. Do not let us find ourselves again in the same humiliating position which led to the Crimean War, in which our Army, no doubt, gained renown, but which no statesman can look back to without feelings of a blended character. That war might have been prevented if the Government of England had spoken with decision. That war would not have occurred; but having occurred, I think it might be logically shown that it was the cause of all the wars that have subsequently agitated and devastated Europe. Let us, I say, profit by that experience. Let the

Government of this country feel that the House of Commons, without respect to person or party, is prepared to give them a hearty support. Let them speak to foreign Powers with that clearness and firmness which can only arise from a due conception of their duties and a determination to fulfil them. If that course is taken by the Government I more than hope, I believe that this country will not be involved in war. I believe more than that—I believe that the influence of England, especially if combined with the influence of the other great neutral Powers, may speedily secure the restoration of peace. But I think our course is plain. I think the Government ought to declare in a manner which cannot be misunderstood that England, as heretofore, will maintain her engagements under Treaty, and thereby secure the rights and independence of nations.

MR. GLADSTONE: I will endeavour, Sir, to separate, in the observations it is my duty to address to the House, the diplomatic and the historic portions of the speech of the right hon. Gentleman (Mr. Disraeli) from that portion of it in which he has arraigned the policy of the Government with regard to our military establishments. Now, as respects the historical review taken by the right hon. Gentleman, I am not able to agree with him in recollecting or citing the period when this House, upon the eve of European complications, has embarrassed or injured the Government by its silence. Such is not my recollection of the year 1853. Such is not my recollection of the course taken by the right hon. Gentleman himself in the year 1853. This House is the only judge of the degree in which, upon occasions of this kind, it shall maintain reserve and rely upon the Executive, or demand information and claim to itself an immediate share in the conduct of affairs. On these matters the House is supreme. The Government rather does its duty by indicating to the House, so far as its position renders it right, when the public interests may be served by reposing confidence in those who hold public Office. The right hon. Gentleman has said much in which I am able to agree with regard to the position of this country. He, in the terms of his Motion, desires to know what is our situation relatively to the war that is now going on. I answer, that our situation has been that of a mediator as be-



tween the contending parties. It is now that of a friend. It has been the situation of a mediator, unsuccessful and yet not officious, because the intervention undertaken by us was an intervention under Treaty on the urgent appeal of France. The right hon. Gentleman, with something short I think of perfect consistency, declares that the candidature of the Prince of Hohenzollern for the Throne of Spain has had really nothing to do in this matter, and at the same time, in another portion of his speech, he treats it as of such vital importance that he says it would have convicted us of utter incapacity for holding our Offices if we had not been aware, long before it was publicly announced, of the position of affairs with regard to the Prince of Hohenzollern. Now, Sir, I am not able to take advantage of the screen which he provides for me when he says that he is sure—my official position not having changed—that I, at least, must have known everything about to take place, or that was taking place, with respect to that candidature, and could not thereby be taken by surprise. Sir, I frankly own that, as regards that particular incident, it did come on me in the nature of a surprise. At the same time, I so far agree with the right hon. Gentleman as to think that, perhaps, we ought to take that particular incident, and likewise the mode in which it was received, as a symptom of the state of things—the high tension of feeling, and the vast existence and enlargement of military establishments of the two Powers. That state of things caused us great anxiety; at the same time, although it was not possible to contemplate it without apprehension for the future, that apprehension was not one the realization of which there was any reason to expect at any given moment. And if we were unable to foresee the future—if the diplomatic servants of England were unable to foresee the immediate future, we were in precisely the same condition as the Ministry of France. For the Prime Minister of France, exactly one week before the appeal was made on this matter as one of peace and war, of life and death to the British Government to intervene—on the 30th of June M. Ollivier, the Prime Minister of France, declared officially that the political atmosphere had never appeared so clear. Such are the contingencies and vicissitudes of these events;

but I will not dwell upon them, because there are other matters of more importance with which I have to deal. In the character of mediator, when the complaint of France was made, we so far admitted the justice of that complaint, although without ever admitting that it would have warranted in our view a resort to arms, that we thought for the sake of the peace of Europe, and under all the circumstances of the case, the nomination of the Prince of Hohenzollern should be withdrawn. For that purpose the British Government interfered, and my noble Friend (Earl Granville), aided doubtless by similar efforts from other quarters, was successful in procuring that withdrawal. And I need not say that it was a deep disappointment to us, when, after that nomination had been set before us as the cause of the existence of danger, and that cause so declared had disappeared from view, we found, notwithstanding, that the horizon was not clear. We then endeavoured to improve the position of matters between those two great States, by suggesting to France, who had given us a title to make such a suggestion, that she could not be justified in demanding from Prussia an engagement which was to cover all the unseen contingencies of the future with respect to the Throne of Spain and the Prince of Hohenzollern. We represented to Prussia at the same time that it was but just that as the King had been associated with the candidature, so he should responsibly and visibly associate himself with the withdrawal. On the side of Prussia that purpose was gained, though, perhaps, the first reception of the proposition by Count Bismarck had not been favourable. On the side of France, it was, as it were, put aside by the occurrence of the incident to which the right hon. Gentleman has alluded in no unbecoming or inapplicable terms—the incident of that supposed insult to the representative of France, which, as far as we have since been informed, appears to have vanished into thin air. We then, as a last attempt, made our appeal to that Protocol of Paris which we had always thought remained as a noble monument of some real advance in civilization, as an acknowledgment of a public authority in Christendom which was to be entitled to exercise a control over the passions, the caprices—nay, over the strongest con-

victions even that might be entertained by particular States. That appeal was declined by France as unsuitable to the case. It was received by Prussia with the declaration that France had taken the initiative in the war, and that under such circumstances it was impossible for Prussia to take the initiative in recommending mediation. So we arrived at the outbreak of war, and the right hon. Gentleman now asks us what is our position in respect to that war? Sir, our position is, as he has truly said, that of a neutral. I shall except to the phrase that he used when he said that we ought to observe an armed neutrality. As far as I know the historic meaning of that phrase, it is eminently unsuitable to the present circumstances. An armed neutrality, if I remember the instances to which the phrase has been authoritatively applied, imports a disposition of mind very far, indeed, from that which we hope we may still claim without reserve—an unequivocal friendliness to both parties in this unhappy contest. Unless I am greatly mistaken, an armed neutrality is the term which is commonly employed to indicate a state of things when anticipating war, considering yourself in fear of war, you have not yet taken a part, nor declared yourself a belligerent. A secured neutrality, a neutrality backed and sustained by an adequate condition of defensive establishments, is a thing totally different. I cannot admit that “an armed neutrality” is a proper phrase, and I regret that it has fallen from the lips of the right hon. Gentleman. He has referred to the propriety of our acting in combination with Russia, and I have not the smallest objection to anything he has said which could tend to strengthen not merely the material force, but also the moral authority by which the peaceful offices of neutrals may be discharged, involving, as they do, the hope that they may at some time or other take the form of friendly mediation. Whether our neutrality is sole, or whether it is joint, there is no jealousy entertained by us of any foreign Power. The war with Russia has left behind no trace which could for a moment prevent or discourage co-operation for an honourable and useful purpose, and if I objected at all to the marked manner in which the right hon. Gentleman dwelt upon the co-operation of Russia it was not in the least as ob-

jecting to anything he affirmed. It was rather because the pointed selection of that Power appeared to imply that we were not to seek or to cherish the co-operation of any other State in Europe. [Mr. DISRAELI dissented.] I am only giving my inference. I am glad it is incorrect. [Mr. DISRAELI: I said that Russia is now the only party with us to the Treaty.] I am coming to that. I should be very sorry if it was meant, and, probably, it was not meant, to discourage our endeavouring to establish that friendly association of influence and policy with all parties not entangled in the unhappy conflict, which undoubtedly on all occasions of this sort not in hostility to either belligerent, but in the interest of the general peace, it is a duty to promote. But the right hon. Gentleman, as he has just reminded me, and I have not forgotten, founded his reference to Russia upon a special argument applicable to that case. He said that certain provinces of Prussia had been guaranteed by the Treaty of Vienna; that the French guarantee was *ipso facto* dissolved by the existing war; that the Austrian guarantee had disappeared with the war of 1856, and that England and Russia alone of the great Powers of Europe were those in whose case the guarantee still remains applicable and binding. I am sorry to say I could not accompany the right hon. Gentleman in that portion of his speech. He appeared to proceed upon a general view and doctrine of guarantee more stringent than I, for one, am able to admit, and more stringent than I know to have been admitted by the most eminent British statesmen of this century. I do not think it necessary now to inquire what is the precise position of the guarantees embodied in the Treaty of Vienna. In respect to Prussia it is not necessary now to inquire how far these guarantees could remain applicable after the German Confederation has been dissolved, after Prussia has undergone a complete metamorphosis and attained an extension of territory which itself involves the greatest changes. But, above all, I am obliged to enter my protest against the doctrine which the right hon. Gentleman propounded in this portion of his speech, for he looked upon the guarantee as a powerful weapon which had been placed in our hands, and he said that by means of this guarantee



we ought to have had an influence almost paramount for the purpose of preventing war, and to have assumed a position of authority with regard to Prussia. Does not the right hon. Gentleman see what would have been the consequences of advancing such an argument? The consequence of going to Prussia and saying—"You must not go to war because we have guaranteed certain of your provinces" would obviously have been this—that if Prussia had gone to war we must have been joined in that war as belligerents. Sir, we were not prepared, and are not prepared to recognize that obligation. We deny that it is founded on the law of Europe, and I can conceive nothing more impolitic than to refer to this Prussian guarantee—with respect to which, I make no admission whatever—when the quotation of it would directly have involved a responsibility that we were not prepared to acknowledge and discharge. On that account we could not admit the necessity or propriety of seeking for any special relation to be established with the Empire of Russia on this occasion. Well, Sir, notwithstanding this unhappy phrase of "armed neutrality," I am sure that what the right hon. Gentleman means is that we should discharge the duty of neutrals, which has no foregone purpose whatever, and that we should establish such a state of things that we shall be competent to fulfil whatever duties may attach to us. Looking at the matter in that point of view, we have considered the duties of neutrals, and we have done our best thus far to fulfil them. Those, indeed, are not easy duties. They are duties which the most sanguine of statesmen or the most sanguine of Governments can hardly hope to fulfil in such a manner as not to give offence to one side or the other, and probably to both. We had that misfortune in the case of the great conflict which devastated the Continent of North America. It may be that we shall have to encounter it again, but whatever care, diligence, patience, and temper can do for the purpose of averting even the slightest misunderstanding, by means of an anxious discharge, according to the best of our light and knowledge, of every duty incumbent upon us, I am quite sure the country may anticipate with confidence from my noble Friend who holds the seals of the Foreign Office. As these

are all subjects of importance, it may be interesting if I mention briefly what are the particular steps that have already been taken in the fulfilment of neutral duties. One of the most important of those steps is already known to the House—namely, the introduction by my hon. and learned Friend the Attorney General of a Bill for the purpose of extending the provisions of our law with a view to a more exact, perfect, and punctual discharge of every duty of neutrality. We have been appealed to with respect to various matters. We have been asked about the assistance given or expected to be given by pilots who are British subjects to the fleets of the belligerents, and the Trinity House has been informed that, in order to conform to our obligations, as a neutral Power under the law of nations, the services of pilots should be confined to British waters in the strictest sense—that is to say, to the navigation of the British ports and a distance not beyond three miles from the shore, and that they should only navigate any vessel in and out of British ports and roadsteads which was not at the time engaged in warlike operations. The case of Heligoland presented peculiar features from its position in reference to the Elbe. The Governor of Heligoland accordingly has been directed to warn the pilots of that settlement of the obligations of neutrality imposed by the Queen's Proclamation and by the Act of Parliament called the Foreign Enlistment Act. With respect to the supply of coal and to coaling ships we have done everything we can to place the subordinate departments of the Executive Government on their guard, and to render them vigilant in the discharge of their duties. The officers of Customs have been desired to pay the closest attention to the employment of colliers, especially when the intention is entertained, or appears to be entertained, that they are to act in immediate connection with a fleet—a course of conduct which I have already had occasion to say would, we believe, bring them within the penal provisions of the law in the character of store-ships. With respect to the building of ships, their attention has been directed again to the observation of what may be going on in the different ports, so that we may never be taken by surprise with regard to an escape, surreptitiously effected, as

unfortunately happened at an early period of the American contest, and that shipbuilders may not render themselves liable to the penalties that may be imposed. With respect, again, to the export of horses, I need not do more than refer to a rumour which has gone abroad of some alleged favour having been shown, in the export of horses to one country and the prevention of the export of horses intended for the other. We are endeavouring to find out whether there can have been any possible foundation for such a rumour; and up to the present time we are not aware of any foundation for it whatever. Again, it has been proposed to an English company at the present moment to lay down a cable between Dunkirk and a northern point connected, I believe, with the territory of Denmark. After consulting with the Law Officers of the Crown we have informed the parties that it would be, in our opinion, a breach of neutrality if they were, under the circumstances, to execute that operation. In the same spirit of constant and close attention, with entire impartiality of purpose, and with a forgetfulness to inquire, or rather a determination not to inquire, how any given decision may bear on the interest of one side or the other, the duties of the Executive Government will continue to be discharged. Until the outbreak of the war, at the period to which I have referred, we were almost without any other thought than the desire of escaping from its trammels, circumscribing its sphere, and keeping ourselves in readiness to intervene at any possible opportunity with a view of bringing about an accommodation. The right hon. Gentleman has referred to the publication this day week of a document termed "Project of a Treaty between France and Prussia." That was a document of a grave and serious character, and we cannot conceal from ourselves that it gave a considerable shock to public confidence. It may be said that we ought to feel indebted to those who brought it to light. We have endeavoured to take into view the whole of the circumstances before us, up to the time of which I now speak, and we have also endeavoured to adopt such measures in relation to them as we think, on the whole, best calculated to establish the perfect confidence and security which are so necessary to the well-being of Europe outside

the sphere of this deplorable conflict. Such is my answer to the comments which have been made with reference to the present juncture of affairs. We have further thought it was desirable on our part to make an appeal to Parliament for additional force, and we have done it on this ground. We have peace establishments in this country which are extremely expensive in relation to their magnitude, but which not only are, as we hope, in the highest efficiency, but likewise present in a great degree, and will from year to year, we hope, present in a still greater degree this peculiar feature—that they will admit of an easy and rapid expansion. Moreover—and it is important to mention it, because the occasion is one on which much may be done at a charge comparatively small—that expansion is an expansion which, in its first stage at least, is cheap compared with the ordinary and average rate of our peace establishments. Sir, I do not think it necessary to go back with the right hon. Gentleman to the period that preceded the Crimean War, and for this reason—the Crimean War followed a very long period of peace, covering nearly 40 years. After the Crimean War the country was of opinion that the whole of our military establishments and of our military system required to be reviewed, and that the scale of these establishments must be considerably increased. There is no analogy whatever between the condition either of our military establishments or of the naval establishments of this country, but especially the former, between the present period and the period preceding the Crimean War. If we are to compare them with any other time, we ought to compare them with the years not which preceded, but which followed the Crimean War, since we adopted what may be termed the new footing and new scale of those establishments. Now, considering the state of things under which the Estimates were submitted to Parliament, I hope it will not be thought to savour in the slightest degree of uncertainty or alarm, not in the slightest degree to appear to correspond with what I believe to be the historic and established meaning of an armed neutrality, if we ask the House, as we propose to ask it to-morrow, for a Vote of Credit or for an addition to the number of men for the Army, of which the House has



been already informed. But I do not hesitate to say that these Votes, while in the view of the Government they are not beyond the necessity of the case, are adequate to meet and suited to the necessity. And now, Sir, I come to the charge which has been made by the right hon. Gentleman. The right hon. Gentleman puts many questions in respect to the state of our establishments, and he likewise arraigns the policy of the Government. He thinks he has now reached an occasion on which he has the right, and that the duty devolves upon him to charge us with having pursued a policy of reduction that has weakened the defensive means of this country, and he thinks that we are now compelled to retrace our steps. I meet the right hon. Gentleman with as emphatic a contradiction as the forms of Parliament will permit, to the assertion on which he founds the charge. We refer with satisfaction to the reductions that have been made; we are glad that we have been able to lessen the burdens of the people; and we are especially glad to have been able to afford that relief, because we contend, and we think we can prove, that in the midst of all that relief and all that reduction there has been no diminution whatever, but, on the contrary, there has been a husbanding and an increase of our real domestic available forces. What is the use of a system of naval defence which dots your vessels of war over the whole globe, multiplying occasions of difference, of quarrel, of danger, and of conflict, into which Parliament finds itself hurried by the act of some subordinate agent abroad, but which would never have been accepted on the recommendation of a Cabinet? What is the use for the purpose of defending these shores, and of enabling you to assert the dignity of the United Kingdom, at a great European crisis, of that sporadic system which enables you, if you think fit, to vaunt your strength in those parts of the world where the flags of the Queen's ships may be flying, but which, instead of adding anything, actually deducts from the real strength and energy of the country? We challenge comparison on the part either of one service or of the other with the condition in which we found these establishments when we took Office. We make no charge against those who came before us; we merely thought they did

not make the improved arrangements which appeared to us to be desirable. But the right hon. Gentleman makes a charge against us, and it is our duty to meet his challenge by a statement that there is no diminution, but rather an increase, of the available force of the country. By that I mean not a force dispersed all over the world in minute fractions and handfuls, but a force available for the purpose of asserting the dignity and power of discharging the duties of this country, if, unhappily, the occasion should arise. Take the very simplest proof, consisting of two items—for I am not the person who can best convey to this House a number of details on this subject, and, for my own part, I think it a very great question whether the House will or will not be disposed to follow the advice of the right hon. Gentleman, and to call for a mass of information on the subject. But these items are matters about which there can be no difficulty. I take the actual force at home, and I take the Reserve Force at home—by which I mean the Reserve of the regular Army. The actual force at home, according to the establishment of 1868, was 87,500; according to the establishment of 1870 it was 89,000. That may be a small difference, but still it is not a difference on what the right hon. Gentleman calls the wrong side. But the principle on which we have been endeavouring to act is this—that with an actual establishment comparatively moderate we should endeavour to institute Reserves by which our actual establishment might be greatly raised in case of need. And how do we stand as compared with 1868 in respect of Reserves? In the year 1868 the First and Second Reserves numbered 19,000 men, while in 1870 the number had reached 41,000. I want to know how in the face of figures such as these the right hon. Gentleman can sustain the charge he has made against Her Majesty's Government of having reduced the force available for the defence of these shores, or for any great European purposes? The right hon. Gentleman says he would like to hear of a large Channel Fleet; and, Sir, we have such a fleet, the particulars of which, as to its constitution and the strength immediately available, the right hon. Gentleman shall have if he chooses to ask for them; for it is not the business of the Executive to

withhold information which Parliament desires, though I think it is the duty of Parliament at a period like this to consider for what information it should ask. But it may be relied on that the fleet available is in a state of efficiency. The right hon. Gentleman asks about the forts, on which he says £13,000,000 have been spent, but which he hears are unarmed. The right hon. Gentleman is certainly wrong as to his figures, for I believe not more than half the sum he has mentioned has been expended, but even that is a considerable sum. He is right as to the armaments: those are certainly not in the forts. But would the right hon. Gentleman advise us to put armaments in before the forts are finished. All that the Government can state is that the armaments are perfectly ready to go in as soon as the forts are ready to receive them. The right hon. Gentleman wants to know whether our battalions are numerous, by which, of course, he means whether each of our battalions has a pretty large complement of men; to which I must reply that, with the exception of a certain number of battalions, they are upon a very low establishment, for which reason we mean to-morrow to ask the authority of Parliament to raise them to a footing more adapted to present circumstances and to their economical use in service, if, unhappily, it be necessary. Then, Sir, the right hon. Gentleman asks what is the supply of arms of precision. I believe I may say that it is adequate for every necessary and immediate purpose. [*Cries of "No!"*] Then, if hon. Gentlemen know better than we do, by all means let them give to the House the benefit of their superior information. But, though sufficient for every immediate purpose, it is not sufficient for every necessity that may arise, and therefore Her Majesty's Government intend to ask for a Vote of Credit in order, among other purposes, that an additional supply of arms of precision may be obtained. With regard to the question of stores, the same observation may be made. I hope the right hon. Gentleman will consider the answer that was given earlier in the evening by my right hon. Friend near me (Mr. Cardwell) was sufficient; but this, at any rate, we are prepared to abide by, and I think I have shown it conclusively, that we have not only maintained but we have greatly improved

the military condition of the country, which the right hon. Gentleman charges us with having weakened and reduced. I believe, Sir, that comparison is the only mode by which a discussion of this kind can be properly conducted; but I do not think it was worthy of the right hon. Gentleman to refer to the skilled artisans. What was the case when the right hon. Gentleman who has twitted Her Majesty's Government was in Office? I am sorry that by introducing this unfortunate interpellation into his speech the right hon. Gentleman has compelled me to draw into a national debate recollections and considerations of party, but I am on my defence. Does he not recollect the boasts of reduction which in the last months and weeks of his term of Office, and particularly on the eve of the General Election, his Government laid before the people? Did they discharge no skilled artisans in 1868? [An hon. MEMBER: No.] Well, if that be so, my Colleagues have misinformed me most abominably; but this we are prepared to maintain, that, in 1868, 5,000 skilled artisans were discharged by the Government of the right hon. Gentleman, while my right hon. Friend (Mr. Childers) is responsible for the removal of 3,000 only. In this particular the statement of the right hon. Gentleman has recoiled upon himself. It is really melancholy to have to refer to these facts in a debate like the present; but, Sir, come what may, I believe that the House will feel that it has no option except to rely in the main, with respect to the forces of the country, upon the responsibility of the Government. I do not grudge at all that we should have been challenged to the extent we have, for it will not be to our detriment, however far the examination may proceed in regard to details. It is entirely a matter of public policy for this House to decide how far, in the interest of the nation, the investigation should proceed; but this I will say, that we should, indeed, be totally unworthy to hold the places we occupy through the confidence of the Sovereign and of Parliament if, for the sake of any purpose of popularity, we, at any time or in any circumstances, knowingly weakened the power and so endangered the fame, the character, and the glory of this country. By comparison with our predecessors, I think we can stand the test; but I admit that there



is a higher standard than such a comparison. The deepest responsibility is imposed on those who at a period like this are charged with the conduct of affairs. Her Majesty's Government have carefully examined and maturely weighed what the country requires, and we now submit to Parliament the result of our deliberations, in the belief that what we ask is calculated to fit us for the discharge of our duty, to enable us to maintain such a dignified and friendly position as will carry with it no suspicion, and will not, under the idea of securing safety, introduce new elements of danger and disturbance; to give us the best hope we can possess of accomplishing that which is the object nearest our hearts—namely, to maintain intact the character and fame of England while this unhappy war shall continue, and possibly at some blessed moment to be either alone or along with others, the chosen bearers of a message of peace.

SIR JOHN HAY: Sir, on another occasion I should not have intervened between the House and the hon. Member for Waterford [who had risen at the same time]—whom we all are so anxious and glad to hear—were it not for the pointed manner in which the right hon. Gentleman the Prime Minister has challenged the statements of my right hon. Friend the Member for Buckinghamshire (Mr. Disraeli), and has asked that those on this side of the House, who may be presumed to have any special information, should give it at once to the House and to the country. Sir, I do not pretend to possess the accurate information which those in Office can give, if they would only give it faithfully; but I have some opportunities for acquiring information which I believe to be truthful and accurate, and I believe the House ought to possess it for the purposes of the present debate. I shall, as far as I can, confine my remarks to facts with regard to the reductions in the Navy made by the present Government in matters of vital consequence, not based upon rumour, but on documents now in the hands of Members of this House; and I shall not occupy the time of the House in discussing foreign affairs or the diplomatic situation, but only whether we are in a position to maintain our naval supremacy, which is necessary to make

our neutrality respected, as well as for the protection of our commerce and our honour. The first question that I shall touch upon is the question of our men. The right hon. Gentleman (Mr. Gladstone) has stated that there has been no reduction in the naval forces of the country since he took Office. In reply to that, I can only say that in each successive year, in moving the Estimates, the right hon. Gentleman the First Lord of the Admiralty has taken credit for these reductions. In the Estimates for the year 1869-70, the First Lord of the Admiralty took credit for a reduction of 3,820 men. Of these, about 931 were men who might, probably, have been reduced as non-effectives by any Administration; but there was an actual reduction of blue-jackets and Marines of 2,889 men. If hon. Gentlemen will refer to the Estimates for that year, they will find the total reduction, as I have stated, 3,820 men, of which 1,739 were seamen, 450 Coastguard-men, and 700 Marines, making 2,889 seamen and Marines subtracted from the efficient force of the Navy. In the Estimates for 1870-1, the First Lord of the Admiralty again took credit for a further reduction. That reduction, as shown by the Estimates—though a change in the arrangement of the Estimate makes it a little difficult to detect—was 2,193 seamen. Now, we had a force of blue-jackets of about 34,000 men, whom the present Government had diminished by 4,382 men, or a force of seamen and Marines included of 48,000 men, which had been diminished by 5,082 men. This reduction is apparent on the Estimates, and will hardly be denied by the right hon. Gentleman, who, not many weeks ago, was courting the cheers of his supporters for this very reduction. In addition to this, I may say that I am assured that the seamen and Marines are now considerably below the numbers for which money was voted in this year's Estimates. I am told that the Marines are not nearly 14,000 strong, and that the seamen are also considerably below their numbers. The aggregate amount that the two bodies of seamen and Marines are below the Vote is about 1,500 men, and if this be correct, then the total reduction amounts to 6,500 men; but as I wish to state nothing to the House but what they can verify, I shall

confine myself to that which will not be denied—namely, that the present Government have reduced our naval effective force in seamen and Marines by 5,082 men. The First Minister has further stated that the policy of his Administration has been to keep the ships at home, and not to dot our vessels of war over the whole globe. Why, Sir, at this present moment of supreme anxiety, the squadron which is called the “Flying Squadron,” after flaunting its flag most uselessly in the most distant parts of the world, is now somewhere out of reach in the Pacific, depriving us of the services of 2,800 men. These men cannot be home or available before November, and reduce our force of seamen and Marines in all by about 8,000 men. I think, Sir, I have shown that the policy of Her Majesty’s Government has been a policy of reduction, and that they have absolutely reduced our naval force by more than 5,000 men. Now, Sir, having shown, as I think, the reduction in men, I desire to call attention to the ships we possess both in commission and in ordinary, and I do not think that I shall do anything imprudent if I compare the force of England in this respect with the force of the only belligerent who can be considered a great naval Power. The right hon. Gentleman has stated that we have a powerful Channel Fleet. I hold in my hand a statement, which I believe to be authentic, which shows that the French have 62 iron-clads now in commission. Of these, I am aware that 11 are the *bateaux demontables* now conveyed for service on the Rhine. Deducting these 11 vessels, however, it leaves France a force of 51 iron-clads now in commission—ships of the line, frigates, corvettes, floating batteries and rams, all of them available for service in the Channel. Of the English iron-clad fleet I speak with some confidence. We have 53 ships in all, and they are distributed as follows:—In China we have the *Ocean*, in the Pacific the *Zealous*; these two are certainly not available for European war. In North America, the *Royal Alfred*; no doubt that ship might be brought home on an emergency, but if recalled, it would leave that station in a state of discreditable weakness. In the Mediterranean we have six iron-clads, or, counting the *Enterprize*, which is only partially ar-

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moured, seven. They are the *Lord Warden*, *Caledonia*, *Prince Consort*, *Royal Oak*, *Bellerophon*, and *Defence*. In the Channel Fleet, of which the Prime Minister has spoken, we have seven ships. They are the *Minotaur*, *Northumberland*, *Agincourt*, *Warrior*, *Hercules*, *Monarch*, and *Captain*; and recently collected together and not completely manned, the eight iron-clad Coastguard ships, for which the country is indebted to the late Government. They are the *Black Prince*, *Achilles*, *Hector*, *Valiant*, *Repulse*, *Resistance*, *Penelope*, and *Pallas*. There is also the *Wivern*, making nine in all; but the First Lord of the Admiralty will hardly desire to include her among the effective ships of the Navy. I now come to the first division of the Reserve, in which there are nine ships. Four of these, I see it is stated in to-day’s papers, are to be commissioned—namely, the *Lord Clyde*, *Invincible*, *Audacious*, and *Vanguard*, leaving five ships in the first division, only three of which could render good service. The ships are the *Royal Sovereign*, *Favourite*, *Prince Albert*, *Research*, and *Waterwitch*; but the two last named are hardly to be reckoned available. In the third division not nearly ready for commissioning are four ships, the *Sultan*, *Iron Duke*, *Hotspur*, and *Swiftsure*. In the fourth division are the *Thunder*, *Thunderbolt*, and *Erebus*; none of them fit for active operations. There is also the *Cerberus* for the defence of Melbourne, the *Abyssinia* and *Magdala* for the defence of Bombay, and the *Viper*, *Vixen*, and *Scorpion* laid up at Bermuda. There are also five ships building, two of which were laid down by the late Government. They are the *Glatton*, *Thunderer*, *Devastation*, *Triumph*, and *Rupert*. There is also a ship in the official Navy List stated to be building at Pembroke, called the *Fury*, for which money has been voted by this House; but I find, from a friend of mine who lately visited that dockyard, that after the most diligent examination he could not even discover her keel. I do not believe it to be laid, and perhaps this may be called a wise economy; but if the right hon. Gentleman desires to include her, I readily concede it—she is as likely to be useful as our forts, and to be ready quite as soon as the guns for arming them. We have, therefore, 53, or, including the *Fury*, 54 iron-clads of all



kinds to compare with the French 51. But the French 51 are all in commission; whereas we, including the four ships bringing forward for commission, have only 29 ships. If we exclude from this the three ships on distant stations and the *Enterprise* and *Wivern*, we have only 24 ships on which we can rely when the Mediterranean, the Channel Fleet, and the Coastguard are all assembled in the North Sea—and we have only five ships which we can add to this force from the first division of Reserve, even if we can find the men to man them. I venture to say that the country will not be satisfied with 29 ships if the French have 51 commissioned and in the Channel—and it is none too soon to complete our ships upon the slips and to commission all our available iron-clads. I have seen in the leading journal to-day a hint that our fleet should assemble for evolutions and exercise in the North Sea. But can it do so? and, if it does so, what will happen? Sir, the only steam factory for refitting a North Sea Fleet was at Woolwich Dockyard; and there is now, as my right hon. Friend the Member for Buckinghamshire has shown, no means for refitting a North Sea Fleet, nor, indeed, of keeping it efficient to the eastward of Portsmouth. Now, I do not give this information to the House on my own authority. I received it from Mr. Andrew Murray, a name well known to this House, as the able and competent Chief Consulting Engineer of the Navy, so recently dismissed by the First Lord of the Admiralty. Mr. Murray tells me that when he left office a few weeks ago, there was no means of refitting a fleet in the Thames or Medway now that Woolwich is dismantled. He states that at Sheerness there is, indeed, a small factory, complete and well-appointed, but only accommodation to repair one ship, and to make small repairs on three others; and that at Chatham, the factory not having been built, there is only accommodation for the ordinary building and repairing of the yard. I am well aware that a Committee of this House recommended the closing of Woolwich Dockyard; but only when the works at Chatham were sufficiently advanced to enable Chatham to fulfil all that Woolwich was able to perform. Is it possible to conceive that any Government, knowing that it might be necessary to protect

our neutrality, can be so blind as not to see the necessity for our eastern dockyards? Is this the condition in which our dockyards should be when it is necessary to maintain a North Sea Fleet? I ask the House, ought the Government to have closed the dockyards in the Thames, to the great injury and distress of the people in those localities, and have left the country without the means of refitting its North Sea Fleet, without compelling its disabled ships to run the gauntlet of the coast of France so as to reach Portsmouth or Plymouth for repairs, perhaps in the teeth of a south-west gale? Now, with regard to the supply of stores. The right hon. Gentleman the Prime Minister had referred my right hon. Friend to the replies of the Secretary of the Admiralty on this subject. These replies may appear excellent in the eyes of Government; but they are neither full nor distinct, nor are they satisfactory to me either as to the condition or amount of the stores under the hon. Gentleman's charge. I am not going, however, to attempt to discuss this matter. Let us examine the state of the supply of coals in the foreign depôts, as shown by a Return laid on this Table by the Admiralty in May last. This Return shows that in 1867, the first year in which we were in Office, the total amount of coals in our foreign depôts was, as it had been under the preceding naval administration of the Duke of Somerset, maintained at about 53,260 tons of coal in the foreign depôts of this country. In the year 1868, in consequence of the Abyssinian War, the store had increased to 59,193 tons; but since 1868—since the advent of the present Government to power—the quantity has gone down gradually, until I am positively ashamed to state the figures shown in this Return. In the first year that the right hon. Gentleman came into Office, the amount of coal was reduced from 59,199 tons to 38,627 tons; and at the date of the Return in this year it had been still further reduced to 27,000 tons. The right hon. Gentleman may say that the quantities in store have been thus reduced because of the reduction of the Navy, and the diminution of the number of ships on distant stations. But the right hon. Gentleman takes credit for increasing the force near home in the Mediterranean and Channel. Navally speak-

ing, the great fortifications of Malta and Gibraltar are maintained as coaling stations for our fleets. How has the coal supply been maintained at Gibraltar and at Malta? At Gibraltar, under the late Government, there were 3,625 tons of coal—there are now only 409 tons, which is barely sufficient for one of our iron-clads. At Malta, when the Government of which I was a Member was in Office, there were 19,319 tons of coal—now there are only 370 tons, and yet in the Mediterranean we had a fleet of six ships, any one of which could take the whole of it. At Halifax, in 1867, there were 4,040 tons of coal in store—there are now only 1,487. At Bermuda the store had been reduced from 3,997 tons to 835 tons, a quantity barely sufficient to replenish the flag-ship. At Jamaica, in 1867, there were 3,167 tons,—there are now only 1,768. It is stated in the margin that several thousand tons had been shipped for these places, but had been detained by contrary winds; but that is no excuse for allowing the stores to run down continuously and persistently ever since the right hon. Gentleman took Office. You have allowed the coal dépôts to run down to make a low estimate, and have been living on the stores provided by your predecessors. At the present moment there is not half the amount in our foreign dépôts which was deemed necessary when the Duke of Somerset and my right hon. Friends were in Office. The diminution of stores of other kinds is also too notorious and too mournful. The right hon. Gentleman had said that he has made these reductions with a view to the easy and rapid expansion of the Navy. But unless ships are built, how can the Navy be easily and rapidly expanded? and the Government has delayed the building of ships for which money had been voted, and have themselves asked for so little money for building, that the result is that we have not ships sufficient to maintain our maritime supremacy. The right hon. Gentleman has taunted the previous Government as to the discharge of skilled artificers; but the facts are that when the right hon. Member for Droitwich came into Office he found that it was absolutely necessary to build not only iron-clads but wooden ships, all but one of which were now in commission. To effect that sudden and necessary ex-

pansion of our force, it was found necessary to engage extra artificers beyond the ordinary numbers employed in the dockyards; and in 1866 there was great depression in the shipbuilding trade, several private dockyards were closed, and skilled labour could easily be obtained, and its employment considerably mitigated the public distress. These men having been so engaged, were subsequently discharged from the service. But is this to be compared with the action of the present Government, which at Woolwich and Deptford has caused distress of such a heartrending character, and in consequence of which so many useful skilled labourers have been banished from our shores? If the right hon. Gentleman at the head of the Government would go with his Colleagues, and fulfil the ordinary course of a Ministry by holding their annual fish dinner at Greenwich, they would have an opportunity of unmistakably ascertaining the feeling of the people of Woolwich, Greenwich, and Deptford as to which was the Government which brought ruin and desolation upon them. With regard to the armament of the new forts for the defence of our dockyards, that matter is also of the greatest possible importance; and I venture to say that hardly a gun is finished for those forts, and that there is hardly any ammunition for the guns. Further, I say, as to the small arms, which the right hon. Gentleman says are in such great abundance, that I do not believe there are 20,000 stand of breech-loaders in store ready to arm our Regulars, Militia, and Volunteers. The armies of Europe are all armed with breech-loaders, and it has been shown what can be done with the Chassepot and the needle gun; but at this moment our Militia and Volunteers are armed with a weapon which can only be fired 80 or 90 times to 180 times of the Chassepot, needle gun, or the Martini-Henry, or the Westley-Richards. I contend that it is unfair to leave us in this position of partial disarmament, and that it is utterly unfair to our men, on sea or on land, to place them in competition with an enemy armed with a weapon so superior. I heard the Secretary for War say the other night that a quantity equal to all the ammunition which is fired at Sebastopol could be made within



a few weeks; but I must say that, looking at the kind of ammunition that is now required, that statement was entirely fallacious. When the shot was cast, and simply ordinary powder was used in the ordinary way, there would have been no difficulty; but bearing in mind the kind of ammunition that is now required for the Army and Navy, not only weeks but months must elapse before this country could be put in a proper condition of defence. In conclusion, I venture to say that the Navy is not in the condition that the country desires it to be, and I found this statement upon the information which I have received, and upon my knowledge as a naval officer.

MR. OSBORNE: Sir, I should feel especially sorry if, in the face of a great European crisis, the debate is really to degenerate into one upon the Navy Estimates, or that a great question which affects the nation and Europe at large should sink into a mere party squabble. For my own part I feel obliged to the right hon. Gentleman opposite (Mr. Disraeli), however I may differ from some of the inferences he has drawn, for submitting this great question to the consideration of the House and the country. We have heard something about official reserve to-night, and I must say I think the right hon. Gentleman at the head of the Government—making all allowances for the difficulties of his position—has exhausted the whole fund of official reserve in the speech he made this evening, because I think the House was not much wiser after he sat down than when he rose. Sir, I can understand reserve at a time when the country is mediating with the hope of maintaining peace; it is then just and proper. But I think the time has now arrived when, all our mediation having failed, it would materially strengthen the position of this country to speak out, and reticence may be looked upon as anything but prudence, and reserve be mistaken for weakness, if not for pusillanimity. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) started by reviewing three Treaties that had been made. I cannot say I participate in his views as to the agreement entered into at the Congress of Vienna, because—as has been well observed—after the extensive alterations which have been made in the map of

Europe, no man could be called on for a guarantee of these Saxon Provinces to Prussia. But it is a very different thing when we come to the Treaty of London in 1831, and I could have wished that the right hon. Gentleman at the head of the Government had not exercised an excessive reserve on that subject. I am sure that reserve will be misunderstood on the Continent. What was the effect of that Treaty of 1831? Five great Powers of Europe were its signatories, and it had for its object not only the neutrality and independence of Belgium, but the inviolability of that kingdom. Well, we know what has happened within the last week. Two of those Powers have unfortunately—I wish to use the most official language—been caught in the act of trifling with the guarantees they solemnly gave in 1831. It is not my purpose to inquire—although I have a suspicion on the point—who originated the projected Treaty, the publication of which has startled the world. That is, I think, immaterial on the present occasion; but this I wish merely to say, that I view the guilt of its concoction as only equalled by the shabbiness of its concealment. The publication of this document, such as it was, did not come from Her Majesty's Government, and here I am inclined to ask what is the good of diplomacy when we get up in the morning and learn the most material event that ever happened in the history of diplomacy from the columns of *The Times*? Was there ever such an exposure of the depths of political perfidy?—an exposure which might well bring to our minds the admonition of the inspired writer—"Put not your trust in Princes." I think we have heard too little of the view of the Government upon the projected Treaty, and the way in which they mean to deal with it; and when the right hon. Gentleman the First Minister finds fault and splits straws in regard to whether our neutrality shall be armed or not, I must say I trust, with the right hon. Gentleman the Member for Buckinghamshire, that the House and the country will support the Ministry in observing an armed neutrality. It is very pretty to say that we are friends of both the belligerents; but I do not believe the people of this country are so soft as to rely on either Power. And what if, after fighting a great battle, they should both make it up and recur

to the programme of the *Projet de traité*? In what position should we then be? There are times when it is necessary to use the strongest language, and I do not think that an armed neutrality is at all inapplicable to the occasion. I do not stop to ask which was the Faust and which the Mephistophiles of the diplomatic drama. It is sufficient for me to know that Belgium was to be the victim. Earl Granville—and I wish to speak of him with respect—in the brief time he has been at the Foreign Office has shown discretion and dignity, but he has failed in his mediation. The right hon. Gentleman opposite asks why we should enter into an intimate alliance with Russia. I know not; but not for the object of guaranteeing Saxony. But what I say is—why should we not call upon the two other signatories of the Treaty of London concluded in November, 1831? Why should we not ask Austria and Russia whether they are prepared to abide by the guarantees they so solemnly gave on that occasion, and why should we not boldly come before the world and say that we are prepared, if supported by these two Powers, to look upon any infraction of that Treaty as regards Belgium as a *casus belli*. I am sure that would have a much better effect than will be produced by avoiding this subject of Belgium. I can easily understand, Sir, that it is for the interest of the Cabinet to take away that “bauble” now lying before you and get rid of Parliament as fast as they can; but this House, as well as the Government, has some responsibility weighing on it; and I hope before this debate concludes some Member of the Government will give us some assurance as to what ultimate course they will take in the event of the Treaty of London being violated. I must say I was never more struck than, in reading this *Projet de traité*, with the position of entire nullity which we seem to occupy in the estimation of these two Powers. Our existence is altogether ignored by them, except that it may be necessary for them to oppose us. I think there is, so far, a reason why we should come forth boldly to the world and say what our position is with regard to this Treaty of London. Something has been said about the state of our Army. I have been in my time an economist, but never a cheese-parer. I

have been for a judicious economy, not for an ill-timed parsimony; and I must say, without wishing to make this at all a party question, that I think both parties have been wrong in their great eagerness to return Members to this House to support them by holding out to the constituencies the bait of excessive economy. What has been the consequence? While other nations have been arming—and, of course, that has been known to this country—we have been disarming; and, at the very time when the Armies of France and Prussia count their men by the 100,000, we have had Ministers coming down to this House and proposing reductions in our Army and Navy. What has been the cause of this? We have had a party—a small party, I believe—in this country who have ridden their hobbies of non-intervention and the reduction of military establishments to death. The effect of this is only to plunge us into greater expenditure, because when you keep up your regular establishments as they should be, you know what you have to pay and the charge is under control; whereas after the cold fit of parsimony you are apt to have the hot fit of extravagance; and the £2,000,000 you are now about to lay out are not likely to be spent to the best advantage. I am not quite satisfied with the answer given by the Secretary of State for War this evening as to the state of our national defences. I say nothing about the Navy, because I have reason to believe that the Navy was never in a more efficient state. I have reason to think so. There may be some little complaints about the treatment of the Chief Constructor, and about five of his ships which are now building being left to his subordinates, he never having been consulted about them; but that is immaterial. [*Laughter.*] Yes, it is immaterial when we are talking of a great question like this. The right hon. Gentleman the Secretary of State for War—and with all his ability and lucidity I very much regret he ever was made Secretary for War, because I believe it would be much better to have in this position a man accustomed to the military service of the country who would not be obliged to get his information second-hand from clerks—the right hon. Gentleman taking a most rosy view of things when speaking at the Mansion House, perhaps under the exhilarating



influence of the loving cup, told the citizens of London, who were thirsting for information, that this country was never better prepared in a time of peace. ["No!"] Yes; when, instead of returning thanks for the toast that had been given—"The Army, Navy, and Volunteers"—the right hon. Gentleman said he would speak for the Army, Navy, and Reserve, and he then said there had seldom been a time when there were so many men of those forces in this country as there are at present. I make no comparison between this Government and any former one; but if you have got so many men in this country, how have you done it? By altogether denuding your Colonies. But by so doing your Reserve has been taken away. What is the state of the infantry regiments? Do not tell me of efficiency when you muster 450 men and call them a regiment of infantry. My right hon. Friend at the head of the Government spoke of our having 89,000 men in round numbers. Not having turned his attention to military affairs as he has to most other matters, he spoke in that way. But I ask how many bayonets could you send to Antwerp in case of need? Could you send 80,000? No. You could not send more than 40,000 at the utmost. Then as to our cavalry. Something, though not much, has been said about our cavalry. It is a mere handful. What you now call a cavalry regiment is a troop. Have you any Cavalry Reserve? No such thing. Then, how are you to remount your men? By your economical proceedings you are perilling the remounting of the cavalry—allowing horses to be exported in very great numbers, and thereby not only lessening the actual number of horses in the country, but trebling their price, even if you can get them. What are other countries doing—other countries which, though they do not boast about it, are as neutral as you? Austria has stopped the exportation of horses, so has Denmark, and so has Russia. But you, forsooth, must take the advice of your Law Officers to know whether horses are contraband of war, instead of acting on the dictates of common sense! Then, what is to be said of our artillery, on which the right hon. Gentleman plumes himself so much? Has he seen the remarkable document which appeared in *The Times* last week, and which showed

the results of the working of the Board of Control which he instituted? Does he know that out of the 34 batteries of artillery we could only make up 14 if they were put on a war footing? Does he know that the artillery is short of horses, of drivers, of artificers, of gunners, of everything? We have heard something of our Reserves. I was astonished when I heard the right hon. Gentleman pluming himself on the Reserves. He told us that he had got 21,000 in the First Reserve. Yes; 21,000 Militia, who are not to be called on to serve in the field except in case of invasion. The right hon. Gentleman the Secretary of State for War is a bold man. He puts the Volunteers down as a Reserve. They cannot be turned out and paraded unless the country were invaded. I dare say if he could speak out—and I should be glad to hear him speak out, for I do not know why he should not do so—he would say that the addition of 20,000 he proposes is to be made in order that we may be prepared for eventualities at Antwerp. I should like to see 200,000 Militia called out. Why should not the 47 regiments of Irish Militia be brought over here and English regiments of Militia be sent to Ireland? I know that in the disposition of this House these things may appear disagreeable and awkward. They may be disagreeable to the peaceful Members of this House. I love peace as much as any man. I agree with the sentiment of the late Lord Aberdeen that war, when it ceases to be a necessity, becomes a crime. But hon. Members must remember that war is actually being waged on the Continent of Europe, and that the two Powers who are waging it have been plotting together. What if they make it up? Are you prepared to see France bounded by the Scheldt? Are you prepared to see this country fall lower in the estimation of Europe than she now is? I am not prepared for it. I am for security first, and armed neutrality—I shall not quarrel with the right hon. Gentleman the Member for Buckinghamshire for the word—armed neutrality, if you like, after. I am for neutrality, so long as it can be preserved with honour; but of this I am convinced, that neither honour nor neutrality can be maintained by stifling the free expression of Parliamentary opinion.

MR. CARDWELL: Sir, my hon. and gallant Friend the Member for Waterford (Mr. Osborne) candidly admitted that in former times he had been an economist—that he had acquiesced in judicious economy; but he now calls economy impolitic parsimony. That is the way with a great many people. When the seas are smooth, when there is no danger, it is easy to be an economist; but when there comes a time of excitement, and when war is being waged in other countries then it is easy to sneer at what my hon. and gallant Friend now calls cheeseparing economy. But, with great respect to my hon. and gallant Friend, that is not the duty of a British Minister; and a British Parliament, who sit here chiefly for the purpose of administering the finances of the country, must be guided by considerations with which he does not appear to be impressed. He regrets that there should be a civilian at the head of the War Department. I should be very happy to see a soldier at its head if the House wished to have one there; but of this I am certain that neither civilian nor soldier could come down to this House in a time of profound peace and ask for the supplies to keep up such an army as either the Army of France or that of Prussia. I say, therefore, that it is not dignified to treat a question of this kind in the way it has been dealt with by my hon. and gallant Friend. I repeat now what I said on a former occasion—that from the time of the disarmament which followed the Battle of Waterloo down to the time of the Crimean War there never has been any force in this country equal to the force provided for in the Estimates of the present year. My right hon. Friend (Mr. Gladstone) said that the period before the Crimean War is not to be taken into account, and marked a point of departure from the close of that war. Let me take two years since the Crimean War, and compare them with the present. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), in a very temperate manner, asked for some explanation which I think a reference to those two years may enable me to make more clear. I shall first take 1862, when there were very extensive armaments in this country. The right hon. Gentleman, in a speech which will long be remembered, spoke of

them as extraordinary and extravagant, and the term “bloated armaments” was applied to them. What was our position in 1862? We were then almost at war. We had sent the Guards to Canada on account of the *Trent* affair. Well, the number of Regulars in that year was 92,276. This year provision has been made for 89,051, or little more than 3,000 below the number in the year 1862, when we had the “bloated armaments.” But in the year 1862, there were to be deducted for the men in depôts 17,904, while this year the number to be so deducted is only 10,503. From these figures it will appear that in 1862 the number at home, exclusive of depôts, was 74,372, while this year it is 78,548. If the armaments of 1862 were extraordinary and extravagant, I ask whether the armaments we proposed this year were so ridiculously small for a time of profound peace. What Reserves had we in 1862? With all deference to my hon. and gallant Friend the Member for Waterford, that is a question of great importance. And here let me say that I used the word “Reserves” at the civic dinner because, in the toast itself, the word Militia was left out, and I did not wish an opportunity to pass without doing honour to that force. In 1862 the number of the Volunteers was 140,000, and it is now 168,000. The First Army Reserve, including the Militia Reserve, numbers 21,900 men, under engagement to serve the country at home or abroad, and in 1862 there was no First Army Reserve. The Second Army Reserve in 1862 numbered 14,738 men, and it now numbers 19,442. The Militia in 1862 was 109,000 men strong, including the Irish Militia; and at present, excluding the Irish Militia, 64,900, the Militia Reserve being taken from it. Thus, by a clear comparison is shown that at the present time the Army, taking the Reserves altogether, is more efficient than in 1862. As I have been charged with reducing the Establishment, I will make a comparison with the year 1868, without the smallest desire to charge my predecessor in Office (Sir John Pakington) with not making sufficient provision for the necessities of the country. My predecessor has treated me with candour, and I wish to reciprocate the feeling; but when I am told that the provision made in the present



year is inadequate, I may be allowed to compare it with the provision made in 1868. In that year the number of Regulars was 87,505, and in the present year it is 89,051, and if the same mode of deducting the depôts were adopted, the number in 1868 was 70,492, and in the present year 78,548. It is quite true that by recalling troops from the Colonies we have diminished the whole number of the forces. My hon. and gallant Friend said that the forces in the Colonies were our Reserve. When I was at the Colonial Office there were 10,000 men in New Zealand, and also a large number in Canada, and I ask what Reserve was that for this country? So far from being a Reserve—a source of support and strength—they were a source of anxiety. They might have been the means of creating public danger, and at a moment of emergency they would not be at hand to strengthen the defences of the country. In 1868 the Volunteers numbered 155,000, and they now amount to 168,000. The First Reserve and Militia Reserve in 1868 amounted to 3,545 men, and they now amount to 21,900. The Reserve not liable to serve abroad—the Second Reserve and Pensioners—were, in 1868, 13,913 men strong, and they are now 19,442. When you charge us with reducing the defences of the country I ask what would have been our reception in March last if we had come down to the House and talked of the armaments of France and Prussia, and said that although we had concentrated our forces by recalling them from the Colonies, yet that was not sufficient, and that our armaments must be continued undiminished? I am old enough to remember the year 1857, and the position then taken up by the right hon. Member for Buckinghamshire, who proposed that the income and expenditure of the country should be adjusted with the view of effecting a remission of the income tax. The consequence of that movement was that 14,000 men were immediately disbanded—a measure which I have always regretted, because such sudden disbanding produces great distress and discouragement to recruiting, when recruiting is required. Scarcely were those men disbanded when the country was startled by the news of the Indian Mutiny. Consequently the men who made and supported a proposition of that kind may have some charity on

those who did not foresee the great events which are passing on the Continent. Could anyone in his senses suppose that the Ministers could have come down to the House in March last, and said—"Though things are now serene and calm, yet in July you may depend on it there will be a great European crisis?" Had we proposed to keep our armaments up to the strength of those of France and Prussia everybody knows the reception which would have met such a proposal. Now, what have the Government done? We said—"As we are called upon to make a reduction, the wisest thing will be to provide against a future day. We will bear in mind that there may be times of peril. We will give the British taxpayer the benefit of reductions without disbanding a single corps, or depriving the country of the services of a single battalion of infantry, without lessening the number of the regiments of cavalry, or of the batteries of artillery. We will so provide that, when a time of emergency arises, we may come down to Parliament and ask for men to fill up the deficiencies in the general battalions." And it is in consistency with that policy that we now ask the House to vote an increased number of men. Let me compare the state of things in 1868 with the present state of things. In 1868 we had in this country, including the Guards, 19 regiments of cavalry, and we have now 22. Of infantry we had in 1868 53 battalions, and we have now 75. In 1868 we had 97 batteries of artillery, and we now have 105. In 1868 we had 25 companies of engineers, and we now have 30. The policy pursued has been the prudent policy of effecting retrenchment, while retaining, at the same time, a power of expansion in times of emergency. The hon. and gallant Gentleman (Mr. Osborne) said that not one of the battalions could bring 450 bayonets into the field. But the Prussian battalion in time of peace is the same as ours, and though the battalions are only 500 or 600 strong they are capable of being expanded at a moment's notice, almost to any number that can be required. No doubt our Army is small, but it cannot be expected to be formed on the same scale as the Armies of France and Prussia. It has always been the policy of this country to have a small Army in time of peace. With re-

gard to the Militia, that force has been recruited up to its full number, with the exception of a few battalions, which, in consequence of their numbering over 1,000 men, we thought unwieldy. I have stated that from the time of the reduction of our armaments after the Battle of Waterloo down to the time of the Crimean War there never was such a force as that which was provided for in the Estimates of the present year. But I will call the attention of the House to another statement. If we take the Regular Forces and combine with them the forces liable to service at home and abroad, with the single exception of the year 1856, when the forces raised for the Crimea were still unbroken and not reduced, there never was a force in this country available for service at home and abroad such as will be provided when the troops from the Colonies shall have arrived home. The force at home available for a foreign expedition was in 1820, 64,426; in 1830, 50,856; in 1840, 53,379; in 1850, 68,538; in 1860, 100,701; and in 1870 it is 110,951. Well, Sir, I cannot say that I agree with my hon. Friend in his notions of political economy. He says we should have saved a good deal in the purchase of horses if we had prohibited the exportation of horses. But I do not think it would be fair to deprive the English producer of the price he can obtain in the market. It is our business to buy horses in the market, and not to interfere with trade in order that we may buy them cheap. My hon. and gallant Friend is very strong on the subject of artillery. He told me I am a civilian, and I should not venture, without having recourse to opinions of far greater value than my own, to say anything on the subject of artillery. But I will just state that in these Returns the number of artillery stands very well. In 1868 the total number of artillery was 15,119, or, excluding those at depôts, 11,857; and in 1870 the total number is 14,242, or, excluding those at depôts, 12,801. That will bear comparison with the numbers of 1868. But I am happy to tell my hon. Friend that those to whose military authority I am bound to pay higher respect than even to his tell me that we have at this moment artillery for an Army of 60,000 men. It is quite true that the draught horses will have to be purchased. But these are not such

as are trained by the Royal Artillery. We have a sufficient number of highly-trained horses, and it would have been improvidence and unjustifiable waste, in time of peace, to keep horses which can be got at any time. We have had some curious criticisms with regard to breech-loaders. These, however, came from a naval officer quarter. I heard with great surprise from the hon. and gallant Member (Sir John Hay), that we had not 20,000 breech-loaders in store, and I rather inferred from his statement — I do not know whether he meant to say that the Regulars were not armed with breech-loaders at all — but I take the liberty of saying that we have a large store of breech-loaders, though not quite so large as I could desire. We have 300,000 breech-loaders in store; not only so, but we expect a large addition to that store within the course of the current year. I have been charged with keeping the Reserve Forces unarmed with breech-loaders. I really feel that to be rather a hard charge upon me, because it so happens that when I came into Office I think my right hon. Friend who preceded me had armed the permanent Staff with breech-loaders; but certainly he had not entered upon supplying the Militia generally with breech-loaders. I, on the other hand, immediately began to arm the Militia with breech-loaders; 61,000 have been distributed, and we shall go on in that course. Not only so, but I shall make arrangements for arming the Volunteers with breech-loaders, as our stores enable us to do so. It is quite true that these 300,000 breech-loaders are not so large a store as I could desire; but what has been the reason? Because we are just on the point of arriving at a settlement of one of the most interesting experiments of modern times—namely, the adoption of a new form of rifle. The controversy with regard to the Henry-Martini rifle is just approaching its solution, and I will own we have not so large a store of breech-loaders as it has been thought we should have maintained; but anyone will see that when on the point of arriving at the adoption of a new and improved weapon it was a natural, a necessary, and a proper economy that, while keeping a sufficient store, we should keep it rather on the side of deficiency than of excess. Then the hon. and gallant Baronet stated that



we could not manufacture projectiles so rapidly as was desired. I take the liberty of stating that we can make 1,500,000 projectiles for breech-loaders in the course of a week. Of course, projectiles are altered, and great improvements have been made in them since Sebastopol; but, taking numbers, the projectiles used in small arms before Sebastopol can now be manufactured by us in a few days, and the whole number of projectiles discharged at Sebastopol can be manufactured by us in the course of a few weeks. We have adequate, though not excessive stores. To keep in time of profound peace unduly large stores — to keep excessive stores of things liable to be deteriorated by keeping, and of which the pattern is liable to change, would be a course of policy which no Minister ought to recommend, and which I am quite sure the House would not support if any Minister did recommend it. I was asked by the right hon. Gentleman (Mr. Disraeli) with regard to our fortifications. On that point my conscience is clear. When I found the fortifications approaching completion I came to the House and asked for the money necessary to complete them; but I had some difficulty in obtaining the Vote desired; and if my memory does not fail me the hon. and gallant Baronet himself voted in the minority against me. I think also that one of the Members of the late Government voted in the same minority. [Sir JOHN PAKINGTON: It was not I.] No; I am quite sure the right hon. Baronet would be the last man to do so. I do not bring these things forward in the spirit of taunt, or with the smallest desire to introduce into this discussion any unworthy comparison, or to magnify anything done by the present Government at the expense of their predecessors; but when the right hon. Gentleman, in a very deliberate manner, challenges me to give some account of these things, I am bound to institute these comparisons. And when my hon. and gallant Friend (Mr. Osborne), in his usual sportive manner, throws a little ridicule on our proceedings, I venture to state serious facts to the House, which I think they will consider a satisfactory answer. What we have done is this— we have initiated a policy with regard to our military resources which is of this kind — to keep them low in a time of

profound peace, and give the country the benefit of the saving of expenditure; for to me it appears a moral evil of the greatest magnitude to keep a large force unemployed. It has been one of my most earnest endeavours to provide a system of military labour within the Army; and I had the satisfaction of stating to the House the other night that arrangements are in course of being completed by which it is hoped that no soldier who desires to add to his earnings by the prosecution of some honest trade may not find employment. It is a great disadvantage, moral as well as pecuniary, to have increased forces at a time you do not require them; and it is true policy to keep, as we have done, your *cadres* always in existence — with your officers and non-commissioned officers, and material for immediate expansion, and then you may rely with confidence that the House of Commons will be ready, when occasion requires it, to furnish you with the means of expansion. This policy applies to men and to material. You ought not to accumulate stores of things that perish. You ought to rely on the resources of the country, so great and unparalleled as they are, to provide you at the moment of emergency with those things that do not require time for their preparation; and with regard to those which do require time for preparation we have not neglected the necessary forethought. I, therefore, conclude my observations by saying, I rejoice that we are not at war, and I trust we have no prospect either of war or of armed neutrality. But this I venture to say, that if we were upon the eve of a war we might truly say that England never entered on a war finding her resources in material and men in a greater state of preparation than she finds them in at present.

MAJOR DICKSON said, he thought the present state of affairs demanded a careful consideration of the state of the Army. Circumstances might arise in which we should have to address remonstrances, and even threats to one or other of the belligerents, and if these were not to be regarded as idle words we should have a sufficient force behind us. He differed from the Premier and the Secretary of State for War in the opinion that it was unfair to draw comparisons between the present time and that immediately preceding the Crimean War.

The best guide to the future was the experience of the past, and the House ought not now to forget the disasters of that campaign, the reproaches cast upon the Government of the day for having allowed our military and naval establishments to fall into a state then considered utterly inefficient, and the millions we had to spend to make those establishments efficient, and undo the mischief perpetrated by years of false and unwise economy. After all this experience, the House would be somewhat surprised to hear that our military force at this moment was in no better, if not in a worse position than it was in the spring immediately preceding the Crimean War. The Estimates of 1854-5 provided 1,000 rank and file for each infantry regiment. No doubt the Army we sent to the Crimea was much too weak. But very few regiments at that time were below 800 rank and file, and those battalions were composed of soldiers well trained and fully disciplined. The great cause of our misfortunes in the Crimea was that we had to take every available battalion in England and the Colonies. Thus we took the field with no Second Line—no Army of Reserve upon which we could fall back to fill up the casualties caused by active service. At present we had not only no Second Line of Reserve, but no First Line to send from our shores in as satisfactory a condition as that of the Crimean force. The right hon. Gentleman said there were 89,000 soldiers in this country at the present time. But on referring to the Estimates, he (Major Dickson) could not make out that provision had been made for more than 63,659 rank and file. The Estimates provided for 41,200 infantry, 8,762 cavalry, and 13,697 artillery. Not many days ago a force had been ordered to proceed from Aldershot to Wimbledon, the regiments composing it to turn out as strong as possible, and to march as though they were proceeding through an enemy's country. He had received a correct marching state of the force—no hocus-pocus state, such as the War Office furnished the right hon. Gentleman (Mr. Cardwell) with—and notwithstanding the force was composed of two batteries of artillery, a detachment of engineers, a regiment of cavalry, four battalions of infantry, and a detachment of the Army Service Corps, it only brought into the field 2,398 private soldiers, and from

that number must be deducted bandsmen, pioneers, and officers' servants. *Ex uno disce omnes.* From this flying column judge of the state of the British Army—judge of the capabilities of this country to place at a moment's notice an Army in the field, in Belgium or any other country. To show the state of the cavalry he would mention that the 7th Dragoon Guards had 285 rank and file, with 262 horses. From the rank and file deductions must of course be made, and as a cavalry soldier he could say it would be perfectly idle to send cavalry regiments upon active service in that condition. A most distinguished colonel of cavalry, now at Aldershot, had written to him to say that the present strength of his regiment was 458 men and 300 horses. If he had to take the field 40 men would be unfit, and he would have to cast 40 horses, while to hold its own a cavalry regiment should have at least 800 men and 550 horses—650 men and 450 horses in the field, and 150 men and 100 horses at the dépôt. If we had to send an Army to-morrow into Belgium, there is not a single cavalry regiment fit for service, each regiment in the service requiring about 400 men and 300 horses to make it efficient for the field. A large number of horses would also be necessary for the artillery, and other branches of the service, and the Government should consider very seriously whether they should not stop the wholesale export of horses which was now going on, to mount dragoons whom hereafter we might have to charge, and drag into position guns which might by-and-by play upon our own forces. He believed that the Government had received notice from Mr. Phillips, the dealer, that he could no longer supply horses at the existing rates; and the price of horses was rising daily. Remembering the time it took to make a cavalry soldier, and the number of men required to place even a few regiments on a war footing, every moment of delay was a precious moment lost. Then as to artillery. In the celebrated Wimbledon column the two batteries of artillery that were part of it had to borrow some of their horses from the other batteries at Aldershot. For every thousand men taken into the field you required three guns, so that if we landed 20,000 infantry and 5,000 cavalry in Belgium, 14 field batteries and three



horse batteries would be needed. No doubt, these might be furnished; but it would take every available horse and man to do so, and, thereby, we should be repeating the fatal error of the Crimean campaign—taking the field with only a First Line. He hoped, therefore, the Government would deem it to be their duty to take some immediate steps with regard to the artillery. Bad, however, as that arm of the service was, the infantry of the line was much worse. The House would, he thought, be somewhat startled to hear that the Army Estimates for 1870-1 provided for 16,200 less infantry than the Estimates of 1854-5. In the spring of 1854 we had 6,859 more bayonets actually available than at the present moment, and the infantry was then no less than 9,211 under its fixed establishment. Again, at the time when we sent an Army out to the Crimea, no one could imagine that our Government in India was otherwise than secure, while we were enabled to avail ourselves without hesitation of the services of the Irish Militia. He would, however, be a bold Minister who after the experience of the Mutiny would now propose to withdraw troops from India or completely denude Ireland of British bayonets. Referring to the statement to which he had already called the attention of the House, he found that at Wimbledon the 2nd battalion of the 13th Light Infantry could bring into the field only 366 private soldiers, from which number deduction must be made on account of bands, boys, &c. The 42nd Highlanders, it was also stated, could bring only 431 private soldiers into the field, and the 4th battalion of the 60th Rifles only 445, each of these regiments having a *dépôt* of another regiment attached and included in the strength. Indeed, he did not believe that, with the exception of the Guards, we had a single battalion in this country which could put on board ship 300 private soldiers after it had been medically inspected. The right hon. Gentleman at the head of the War Department might juggle as he liked, and talk about the number of available battalions, but he could not alter that which was the fact; and the result of the state of things which he had just mentioned was, that when the necessity arose we should have to pour into every battalion 700 raw recruits to take the field against a trained and powerful

Army with all the modern appliances of war. The House had heard as usual that evening about the Militia Reserve; but, for his own part, he had some doubts as to its existence. But, even admitting that it did exist, it would be a very serious thing for the right hon. Gentleman to have to make out his First Army from a force which was especially meant to be for the protection of the hearths and homes of this country. There was another branch of the service about which he wished, before he sat down, to make a few remarks. He alluded to the Land Transport Corps, which had been constituted for the first time during the Crimean War, which was afterwards known as the Military Train, and now as the Army Service Corps. The other day it appeared that that corps, in order to carry commissariat for 2,398 privates, had to take every available horse, so that horses had to be borrowed next day to carry on the ordinary duties of the camp at Aldershot during the absence of the column. It was the opinion, he might add, of all officers of experience, that we ought to have at the present moment in this country an Army ready to be put on board ship tomorrow morning. He had heard grave rumours about the state of the stores and guns; but he should refrain from making any charge against the War Office on mere hearsay. In 1854-5 there was great confusion in that Office; but it was, he believed, now confusion worse confounded. He would only further observe that we had at present a smaller Army than we had when we first took the field during the Crimean War, and he maintained that the 20,000 more men the Government intended to raise would not give us a satisfactory Army. He hoped the House would convey its opinion to the Government unmistakably on the point, and tell them that they would back them in increasing the number. England was a patriotic country. Englishmen cherished her honour, and had no wish to see the Danish policy repeated. He, therefore, would implore the Government, knowing, as they did, that they would be supported by the people, at once to take steps to secure an efficient and what, if called upon, would be a victorious Army.

SIR HENRY HOARE said, he objected to the words "armed neutrality," as constituting, in the sense in which

they had been used that evening, a menace and threat to a constant and faithful ally. The hon. Member for Waterford (Mr. Osborne), who talked of raising 200,000 Militia in this country for the purpose of throwing them into Antwerp—[Mr. OSBORNE: To be ready.]—would himself have us violate the neutrality of Antwerp by taking that course. The present disastrous war had been, in his opinion, partly brought about by the unjust position which had been taken in framing the Treaty of Vienna, ever since which the configuration of the Prussian frontier had been such as to make it easier for her to invade France. For his own part, he thought our neutrality should be, as was said by the Prime Minister, one conceived in a friendly spirit; but he entirely objected to the one-sided argument which would lead us to assume an attitude of hostility towards France. Prussia was, no doubt, a great nation, and had absorbed a great many surrounding States; but he was not aware that she had acted up to the faith of Treaties any more than any other country. It was, at all events, certain that France, since she had been our ally, had never deceived us; while we knew what the conduct of Prussia had been towards Denmark, and how she had observed the Treaty of Prague. [An hon. MEMBER: The Projected Treaty.] He did not believe a word about the Projected Treaty. If it had any existence, it was a scheme concocted by two acute statesmen who might not be very particular about matters of principle; but that did not prove that the French nation was *particeps criminis*. Much had been said respecting the Saxon Provinces of Prussia; but, for his part, he hoped that not a single man would be moved, nor a single shilling expended by this country to guarantee to Prussia either these provinces or the other provinces which she had so unjustly absorbed since 1866. He extremely regretted that the Government had felt it necessary to ask the House to vote these 20,000 men. A war with France would be most disastrous to us, and the ill-feeling it would create would not be allayed for generations. He represented a constituency of working men who, though they were not in favour of peace at any price, would earnestly protest against the insults which had been directed against a faithful ally, who had served us well in past

times, and who, he felt convinced, would not deceive us now.

MR. BAILLIE COCHRANE said, he regretted that the hon. Baronet who had just spoken had failed in his speech to exhibit that temper and calmness he rose to inculcate. The hon. Baronet had complained of those who had blamed the French Government; but no one had done so, and the only instance of attack during the debate was that of the hon. Baronet himself upon Prussia. The discussion had gradually developed from the question of foreign policy to that of military armament. He (Mr. Baillie Cochrane), however, proposed to discuss the original question—that of foreign policy. He had always supported the policy of non-intervention as admirably carried out by the Earl of Derby and the Earl of Clarendon, in the late and present Governments, and was of the same mind still. But there must always be a limit to non-intervention in public as well as private affairs, and the time had come when a great country such as this would be justified not in active intervention, but in distinctly stating its opinions through Parliament, for the opinion of Parliament would always have great weight. One point in connection with this subject had not been raised during the discussion—a point which had been commented on in a journal supposed to be under the influence of the Government. This Government organ stated that there was nothing new in the *Projet de Traité*—those conversant with European politics had been long aware of such projects. It added—

“This very *Projet de Traité* has, we believe, been in the possession of the English Foreign Office from the time when it was first suggested.”

[“What organ?”] It was from *The Morning Post*. In other papers it had been stated that this project was not entirely unknown to the Government; and he mentioned the surmise that the Government had long since known of the Treaty, because he believed the First Lord of the Treasury would be pleased to have an opportunity of saying they never heard a word about it until it appeared, a week since, in *The Times*. The House had heard a great deal about the duty of neutrals; but the Government had not informed the House what was the duty



of this country towards a neutral Power, the neutrality of which this country had guaranteed. The right hon. Gentleman might say that the possible violation of the neutrality of Belgium was too delicate a question to touch upon; but he maintained that a declaration in Parliament was necessary as to the obligation of this country as regarded Belgium. No doubt Government would say it was inexpedient to make a declaration upon this subject; but the independent Members of the House might speak out, and he had no hesitation in saying that the violation of the neutrality of Belgium should be at once made a *casus belli*. The hon. Baronet had spoken of the danger which would threaten us if we went to war with France—a consideration which was not worth a thought, and he was surprised to hear the hon. Baronet give expression to a sentiment so unworthy his position. Even if the matter were decided on selfish considerations, without regard to honour and obligation, what would be our position? The French in Antwerp would be a direct menace to us; and even if, as the pusillanimous said, Antwerp would be no more than Cherbourg, was that a reason why we should have two Cherbourgs confronting us? England had entered into a solemn guarantee that the integrity of Belgium should be maintained, and if we failed to discharge the obligations that guarantee involved, we should be disgraced before the whole world, and our influence would be lost for ever. He had read one passage in Lord Lyons' despatch with much mortification. Lord Lyons wrote—

"Finally, M. de Gramont said that he knew the English way of going on, and that we detested war."

Was that dignified language to apply to a great country? But in the same despatch Lord Lyons writes—

"M. de Gramont told me that he was glad to have the opportunity of telling me that he had just assured the Belgian Minister that, so far as France was concerned, it was quite unnecessary for Belgium to watch her railways, or go to any expense to protect herself. He had, he said, solemnly assured the Belgian Minister that absolute respect for the neutrality of Belgium would be a fundamental principle in the eyes of the French Government if France went to war; that France would respect the neutrality of Belgium under all circumstances, '*quand même*.'"

He wanted to know what interpretation to put upon that "*quand même*?" Was

it that France would only respect the neutrality of Belgium as long as Prussia respected it? This was an important question; and there was another point equally important, which he was astonished had not been referred to by the right hon. Member for Buckinghamshire. He referred to a sentence made use of by the Emperor. He acknowledged the good disposition of the Emperor towards us; he had in numerous instances shown himself a most honourable ally; but, in his Proclamation, the Emperor spoke of the greater power behind him. There was a power behind the Emperor which he could not resist, and if the French people urged the occupation of Belgium, the citadel of Antwerp, and the Scheldt, suppose the Emperor should say the nation had slipped out of his hands? Should the French nation again slip out of the hand of the Emperor we might have to carry on a contest under every possible disadvantage, and with the knowledge that we had sacrificed our honour by not fulfilling our Treaty obligations.

MR. E. M. RICHARDS said, he hoped that he should be permitted to make a few observations upon this question, being, as he was, a humble member of the Peace Party, which, to judge from the tone of the discussion that had occurred that night, did not appear to be very largely represented in that House. He had listened to the speech of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) with great pain and regret, mingled with considerable disappointment and surprise, because he had abandoned that wise reticence and admirable self-control that had always hitherto distinguished him in discussing questions of peace and war. The speech the right hon. Gentleman had delivered that night was essentially a war speech, and it had been echoed by hon. Members on both sides of the House. Hon. Members who cried out for increased armaments were pleased to dwell with questionable wisdom upon what they called the unpreparedness and defenceless condition of this country. He had paid some attention to matters of this kind for the last 25 years, and he had always remarked that our Army and our Navy never came up to the standards set up for themselves by hon. and gallant Gentlemen. Some years ago a great outcry was raised in favour of

that great constitutional Reserve Force, the Militia. Well, the Militia Force having been established was now declared to be utterly worthless. [*Dissent.*] He had heard it described that night as being of but little use. An hon. and gallant Member opposite (Major Dickson) had stated that our infantry, our cavalry, and our artillery were in a most unsatisfactory state. If that statement were correct the country had a right to ask what had become of the hundreds of millions of money that had been poured into the lap of the naval and military authorities for the purpose of providing us with an adequate naval and military force. He trusted, however, that the Government would not allow themselves to be provoked by reproaches from the opposite side of the House, nor by encouragement from those around them, to rush into a reckless and extravagant military expenditure upon such an occasion as this. The two belligerents engaged in the present war were likely to have sufficient to occupy their attention without doing anything calculated to provoke the hostility of England. It had been said that the best means of preserving peace was to be prepared for war; but there could not be a greater fallacy. If anybody wanted a proof of the folly and absurdity of that maxim let him look to either bank of the Rhine. Europe, in acting upon that mischievous maxim during the last 14 years, had found herself engaged in four bloody wars, and was now about to enter upon a fifth, which threatened to be the most disastrous of all. Sir Robert Peel on one occasion warned the House against listening to the opinions of military men on such a subject as war. In February, 1855, Sir George Cornwall Lewis had declared that this country ought not to attempt to become a first-rate European military Power, and that it would be sufficient if she were able to defend her own shores and her dependencies. [Mr. OSBORNE: Hear, hear!] The hon. Member for Waterford, contrary to the Scriptural maxim, was swift to speak and slow to hear. Not only did he frequently address the House wittily, if not wisely, but he was always interpolating his observations when others were speaking. Should war come upon us he hoped the hon. Member would be caught and sent into the front rank of our Army in order that he might have an opportunity

of expending his valour. He trusted that the Government would preserve an honourable and dignified neutrality, and that their exertions in that direction would be seconded by the people, and more especially by the Press of this country. For his own part, he sympathized with neither of the parties who were responsible for the war, but with the suffering millions among their unfortunate subjects. He thanked the right hon. Gentleman at the head of Her Majesty's Government for the tone of his speech that night, which would be approved by the great mass of the working classes, and which might enable him at some future time to step in as the representative of England with the view of mediating between the contending parties and putting an end to this terrible war.

MAJOR GENERAL SIR PERCY HERBERT said, he was as anxious for peace as the hon. Gentleman who had just sat down. He believed that the hon. Member misrepresented or misunderstood the feelings of military men if he thought they were anxious for war for war's sake. Those who were best acquainted with all the horrors and sufferings which it entailed were least likely to take part actively in bringing about war unless they believed that the interests or the honour of the country were in danger. The hon. Gentleman had read the House a lecture on the familiar text—"If you wish for peace, be prepared for war;" but he had given it entirely a new reading, and the illustration which he chose was singularly unfortunate, for, though the belligerent Powers no doubt were both prepared for the war into which they had rushed, the hon. Member forgot that the desire for peace did not appear to have existed on either side. In this country a desire for peace had always existed, and the preponderance of feeling would be always in its favour, unless the national honour or great material interests were called in question. He had risen chiefly in consequence of some remarks which fell from the Secretary of State for War. The right hon. Gentleman more than once made use of the expressions—"When we were called on to make reductions;" "When we were called on by the House of Commons to effect those reductions;" and, at another time, speaking of what happened immediately after the Crimean War, he said



—“When the right hon. Gentleman at the head of the Opposition called on us to make a reduction.” Now, he (General Herbert) was not aware of any Vote having been come to by the House of Commons on the subject; and it was a new thing for a Minister thus to try and evade the responsibility which properly belonged to him for having proposed that the Estimates should be reduced. Because some hostile criticism might be apprehended from the front Bench opposite, or because there might be some nasty speech from below the Gangway, a Minister was not to be excused for coming down to the House, and proposing Estimates different from those which the actual circumstances demanded. No Minister should propose Estimates greater or smaller than he believed to be justifiable and prudent; but, having proposed them, it was his duty to stand by them like a man, and to risk his position, if need be, in justification of his proposals. Love of place and power were at the bottom of a system under which Ministers would come down to the House, and put forward Estimates different from those they believed to be wise upon the mere threat of some little Motion from below the Gangway. The right hon. Gentleman had gone into several calculations, and he must say for himself that he found them rather confusing: like Falstaff’s army, the same men kept coming round and round so often that in the end he did not know whether the actual number was 74,000 or 87,000. But the gist of his remarks was that we had got more men at home. The right hon. Gentleman insisted on the strange doctrine that troops in the Colonies were a source of weakness. There were, however, a good many Members on both sides of the House who wished we had 15,000 or 20,000 sources of weakness in the Colonies more than we had at present. The right hon. Gentleman said we had got 4,000 more men at home than we used to have. But what had we done with those that were abroad? Against these 4,000 soldiers at home must be set some 23,000 who had been got rid of. He might be told that these were mainly colonial troops, and that some 1,200 or 1,500 of the number were Native or West India troops. Granted; but the colonial troops were available for service whenever they were wanted.

Take the Canadian Rifles, for instance. We might be going to abandon Quebec, but we should not abandon Halifax, at any rate. And would not these troops be available for duty there, or could anybody doubt that if need arose European soldiers enlisted for service in the Colonies would be ready to come home to England? So far from being a source of weakness to this country, on one very notable occasion troops in the Colonies proved a great source of strength. Where did the first troops come from that were available for the support of the Indian Government in the Indian Mutiny? Were they not supplied from the Cape, the Mauritius, from Ceylon, and by the China Expedition diverted? And were these to be called “sources of weakness” to the Indian Government? Lord Canning would tell a very different story if he were alive. The right hon. Gentleman went off again on his favourite hobby that he was following out the Prussian model. The strength of the Prussian battalions in time of peace was 500 rank and file; and the right hon. Gentleman insisted “we have kept the officers, the non-commissioned officers, we have got 500 rank and file, and we have got the power of expansion.” Yes; but what were they to expand with? There was nothing except this Reserve, which was being flaunted before their eyes repeatedly, and a very large portion of which had not been even engaged to serve abroad if necessary. The Militia Reserve were merely Militiamen who had been collected more numerously than usual this year, in consequence, as he had been informed from more than one quarter, of the right hon. Gentleman having relaxed the rules under which they were engaged, and not requiring them to go through a medical inspection. Therefore, although a great deal of money had been paid in getting these men for the Reserve, many of them no doubt would be returned as unfit for service in the regiments to which they might be attached. What, therefore, the right hon. Gentleman had accomplished might be stated thus—he had got rid of 23,000 soldiers, and he had effected this small increase of the Reserve. As far as stores were concerned, he agreed with the right hon. Gentleman. It was quite right to practise economy with regard to them; for, in a manufacturing country like ours stores

could be supplied rapidly, and it was not necessary to keep any large quantity on hand. Horses also were more easily procured than men, and he could not agree with the hon. and gallant Gentleman the Member for Waterford as to the number which it was necessary to maintain. With regard, however, to what had been stated about the depôts of coal, he hoped that some explanation would be given by the First Lord of the Admiralty; for the circumstance that stations like Bermuda and Malta had been left with a few hundred tons of coal—not more than sufficient to fill a first-rate man-of-war—certainly indicated very great neglect. Probably it would be urged by way of excuse, that in the rigid economy which was carried out at the Admiralty the gentleman whose business it was to look after the consignment of coal to those colonial posts had been “improved off the face of the earth,” and that there was no one to take his place. Such an excuse, however, could be only temporary in its nature; while the neglect to supply coal to these great stations at which a fleet might be called on to assemble at the shortest notice was one of the very gravest character.

MR. CHILDERS: Sir, in the few words I shall have to address to the House I shall endeavour to bring the debate back to the matters more immediately connected with my own Department, although there is one expression as to our present attitude to which I must allude. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), while he appears to me to have laid down very clearly the general principles on which this country must be governed in respect of its neutrality, described our proper attitude as one of “armed neutrality.” I should have thought the phrase “armed neutrality” was most offensive, historically at least, to every Englishman. Under that name, or rather using it to conceal their intentions, the Northern Powers entered in 1780 into a league hostile to the power and interests of this country, which ended by greatly extending the field of the war in which we were engaged. When, therefore, the right hon. Gentleman used the expression “armed neutrality,” I hope he never intended that we should follow the example set by the Empress of Russia in 1780. The word my right hon. Friend

at the head of the Government employed—“secure neutrality”—is that I believe which both sides of the House will be willing to agree to. The right hon. Gentleman asks whether during the year and a-half that we have been in power we have taken such steps as to place the nation, while still anxious to preserve peace, in the condition essential to a secure neutrality. I shall endeavour to show that the expressions used during the last few weeks to the effect that the Navy was in a satisfactory state, though the right hon. Gentleman may consider them to be meaningless, were nevertheless true. The questions which have been put by the right hon. Gentleman and enlarged upon by the hon. and gallant Baronet the Member for Stamford (Sir John Hay) were—first, whether the *personnel* of the Navy was in a satisfactory state; then, whether the ships and armaments were such as they ought to be at the present time; next, whether our supplies of stores are sufficiently large; and, lastly, whether our establishments on shore are such as can be properly expanded if necessary. Now, I am bound to say that both in 1869 and in the present year I concealed nothing when bringing in the Navy Estimates, but gave the most minute details on every point connected with the strength of the Navy, both positively and relatively to the Navies of other Powers. I was followed by Gentlemen on both sides of the House and holding every shade of opinion in reference to naval administration; and as the figures I gave remained unchallenged at the time I certainly think it is too bad, at the end of the Session, when the Estimates have been voted, and after two Sessions of economy, for hon. Members to come forward with these furbished-up charges, and to ask the Government to debate off-hand questions of detail, which we should have been prepared to discuss and to answer if they had been brought forward at the proper time, when, in fact, they were practically undisputed. First, then, with regard to the men composing the Navy. The hon. and gallant Member for Stamford, in the course of his remarks, has said that Her Majesty's Government had, in the course of two years, made a reduction of between 5,000 and 6,000 from a force of 48,000 men, including Marines. But the real strength of the Navy is not 48,000, but 61,000 men.

*Major General Sir Percy Herbert*



The reduction made since I took Office is only between 3,000 and 4,000 men. It includes not a single Marine, the strength of which force had been reduced not by us, but by the late Government. Further, I expressly stated to the House last year, and again this year, that with the exception of 500 men all the reductions we had made were entirely apart from the seamen class, and especially among what are called idlers, where the propriety of reduction will not be questioned on either side of the House so far as the present debate is concerned. The hon. and gallant Baronet then went on to say—"You have reduced your men by 5,000, and you have also sent out a flying squadron with 2,500 men; you must, therefore, add these two together, and you will then arrive at the total force you have taken away and which is no longer available at home." But in the same speech he has dwelt on the reduction of the foreign stations; every man taken from which, he forgot, added to the number available at home. The fact really is, that while our force of men at home, in the Channel Squadron, and in the Mediterranean is considerably stronger than it was three years ago, we have been able to send out a flying squadron which is of very great value in the training of both officers and men. With regard to ships, the right hon. Gentleman the Member for Buckinghamshire asked how our Channel Squadron compared with the fleet which certain other Powers can show at the present time; and the hon. and gallant Member for Stamford, going still further, made the most astounding statement that France had a much stronger fleet than this country, and could show 51 or 52 iron-clad ships in the Channel. [Sir JOHN HAY: I said "in commission," not "in the Channel."] Very well; but that France has 51 or 52 iron-clads in commission is equally an astounding statement. I should not have addressed myself to this statement—for I am very unwilling to refer to the power of other nations—but for the fact that unless it was corrected the public might labour under the delusion that it was accurate. What are the real facts of the case? I hold in my hand a carefully prepared account of the iron-clad fleets of England and France. We have afloat, including those now fitting at Plymouth, 28 broadside and 12 special ships, or 40

in all. Of the 28 broadside ships, 5 are in the Channel Fleet, 8 in the First Reserve Fleet now at sea under Commodore Wiles, 6 in the Mediterranean, 3 on distant stations, and 6 are fitting out. As now classified, 1 is of the first, 4 of the second, 9 of the third, 8 of the fourth, 4 of the fifth, and 2 of the sixth class. They carry 507 guns of 6½ tons and upwards. We have also 12 special—that is, generally, turret-ships: 2 of the first, 4 of the second, 1 of the third, and 5 of the fourth class. One of these is fitting, 3 are at Bermuda, 3 are at home or in the Mediterranean, and the rest in reserve. All these, in commission, in reserve, or fitting, come to 40 ships of different classes, mounting 552 guns of 6½ tons and above. I leave all guns of less weight out of the comparison. France has 27 broadside ships and 4 special ships, in commission, in reserve, or fitting, making 31 ships in all, mounting 283 heavy guns. Of the broadside ships, none are of the first class, 3 of the second, 10 of the third, eight of the fourth, and 6 of the fifth; and of the special ships, 1 of the first class, 1 of the second, and 2 of the third. 29 of these are at home, in commission or reserve, and 2 on distant stations. I can tell the House what accounts to a certain extent for the difference between my statement and that of the hon. and gallant Baronet. The French have 22 batteries, 11 of which carry or are to carry 4 guns each, and can go a certain distance to sea in calm weather, and 11 others called *démontable*, river gun-boats, which may be taken to pieces, and some of which are now, I believe, on the Rhine, waiting to attack Mayence or some other of the German towns. It is by adding these to the ships I have enumerated that 52 or 53, as the number of the French iron-clad fleet, is arrived at. [Sir JOHN HAY: I beg the right hon. Gentleman's pardon. I expressly excluded these 11 batteries from my calculation.] If that is so, all I have to say is that I cannot understand the hon. Baronet's calculations. Excluding the batteries, France certainly has only 31 iron-clads afloat. Hon. Gentlemen may argue upon imaginary statements as long as they please; but what I have stated are plain official facts as to which there is no doubt. In addition to the ships which I have mentioned, we are now building 4 first-class ships and 4 second-class, with 50 guns.

France is building 10—2 first-class, 2 second, 3 third, and 3 fourth-class, with 56 guns. Adding these to those afloat, our strength will be 48 ships and 602 guns; and that of France 41 ships, exclusive of batteries, and 339 guns. I think it only right to state these facts to the House, in order to show both sides of the extraordinary story which, coming from I know not where, has been fathered by the hon. and gallant Member for Stamford. Then the right hon. Gentleman asked me what was our state as to coal and stores, and on that subject I will give such information as I can. In the early part of the year a Return was made on the Motion of my hon. Friend the Secretary to the Admiralty as to the price of coal, and that Return showed also that up to the end of January last we had very much below the ordinary stock of coal at our principal foreign ports; but, at the same time, a very large quantity which had been shipped for these ports was delayed by contrary winds, some of it being delivered in the first week of February, the remainder being on the way at the time the Return was made. We, at the Admiralty, whether rightly or wrongly, have governed our shipments of coal by the suitable time in the year. We have not thought fit to make large shipments in the winter, but to wait for the spring, and the result was that in January last our stocks of coals, particularly in places to which you would have to pass through stormy seas, were rather low. I admit, also, that there had been great accumulations of coals at two great foreign stations, owing to the necessities of Abyssinia, and that these have been considerably reduced. But our present stock of coal in our foreign ports is in a satisfactory state; indeed, at some, it is unusually high for a time of peace, and the House may feel perfectly at ease upon that point. But it is not of coal only that this can be said. Our purchases this year of other stores are generally in a forward state; we have bought a much larger amount than is often customary; and, so far from being exhausted, they are, at many stations, in a better condition than they have frequently been in times past. I come now to the dockyards; and here, I think, the House will agree with me when I say that there fell from the hon. and gallant Baronet opposite an expression un-

worthy of him, and which, unless in the heat of debate, I am sure he would not have uttered. The hon. and gallant Baronet stated that if my right hon. Friend near me (Mr. Gladstone) visited Greenwich at the end of the Session he would guarantee the sort of reception he would get. Well, that is not a new threat, for very soon after I came into Office I found that Deptford Dockyard having been abolished by the late Government, the artificers being pensioned or transferred to other dockyards, and I myself received a threat, which had been sent round all the newspapers, that if I went down to Deptford I should be received in a pretty way. Now, I hope no Government, in dealing with questions of this kind, will allow themselves to deviate from the right path by the consideration that when Ministers go down to particular places they will be received in a particular way. I think also that it is very much to be regretted that we should bandy backwards and forwards charges as to the numbers we may find necessary to dispense with when we deal with bodies of men in the sensible way in which employers of labour deal with their men. All I can say is, it is not we who began it. When the late Government were in Office they made a very considerable reduction at a short notice, and I warned them that what they were doing was unnecessarily precipitate and inconvenient after recent inflations; but I was careful to say nothing which could be construed into a wish to raise a cry against them among working men. But now, when the hon. and gallant Baronet makes these reckless imputations, it is only right that the facts should be known, and I will state the exact figures. The hon. and gallant Baronet would have us understand that all that happened was that a number of men had been taken on for a particular work, and when it was done were discharged in due course. But this only a part of the case. It is perfectly true that at the end of 1867 the late Board of Admiralty determined to take in hand a certain class of iron shipbuilding and to enter more men. They collected men from the Clyde, the Tyne, and every other part of the kingdom where ships are built, and swept them into their net at Portsmouth, Devonport, and Chatham. During the four months at the end of 1867 there were collected



from those distant parts no less than 2,369 men, who were added to the number of artisans and others employed in the dockyards. But suddenly the Chancellor of the Exchequer, I suppose, was alarmed, and stopped this reckless work, and a reduction not of 2,369, but of no less than 5,418 men followed. Up to the month of February there were 2,369 men over the usual number. In the same month of February they decided to make a reduction of 5,418, and they succeeded in doing so by the month of July. They discharged men, not at the rate of 200 or 300, as we have been doing, but at the rate of 1,200 a month. I do not bring that as a charge against them; what they did may have been necessary. But when we are attacked with considerable violence for making reductions at the rate of 200 or 300 a month, it is only right to put the saddle on the right horse; and to show who it was who really occasioned the dockyard distress of last year. In the beginning of the Session of 1869, though at that time I had not discharged a single man, the hon. and gallant Baronet the Member for Portsmouth (Sir James Elphinstone) got up and made a most pathetic appeal, urging us to do something for these poor men who had been discharged by hon. Gentlemen opposite; and when we consented and carried out that plan of emigration which has been so universally approved, then the right hon. Gentleman the Member for Buckinghamshire says—"What a public injury you have done by allowing skilled workmen to emigrate." I think I have now gone through all the leading questions put as to the state of the Navy. Let me be clearly understood as making no boast, and putting up no claim to exclusive regard for the efficiency of the Navy, or for special merit in connection with its strength. We took over its administration from predecessors who were anxious for its welfare, and we have endeavoured to promote it to the best of our power. But, putting party altogether out of the question, the simple fact is that we have a most efficient Navy, as I have already explained in detail. We have seven iron-clads in the Channel Fleet proper, and nine in our First Reserve Fleet, or 16 in the Channel at the present time. We have a strong fleet in the Mediterranean which will join the Channel Fleet this month and exercise with it.

We have also a considerable number of ships in reserve, which will be commissioned in the course of the present year. We have a good supply of stores, our Reserves are in admirable condition, and our Coastguard consists of men altogether fit for service. In short, to whomsoever the credit of the present state of things is due, whether to us or to our predecessors, for a peace Navy ours is in a highly efficient condition—more efficient than for many years past; and all we ask of the House is to enable us to carry it beyond that into a state of preparation for eventualities, consistently with our position of secure neutrality in this Continental War. To what extent this should be done, I do not now say; but, in asking the House to intrust us with the necessary means, I repeat that we shall be strengthening what is already in a most satisfactory condition.

SIR HENRY LYTTON BULWER: I listened with considerable attention to the speech of my right hon. Friend opposite (Mr. Disraeli). There are some statements which he made in which I entirely agree; there are others from which I must confess I entirely dissent. I quite agree with him that when the circumstances of Europe are in the critical position in which they are at present, it is decorous and useful that the House of Commons should express their opinion, because if even silence were advisable, which I do not think, it is impossible. If we do not speak, the Press speaks. And if the opinion of England is to be expressed, it appears to me far more advisable that it should be expressed by the voices of the representatives of England than in any other manner. I also agree with my right hon. Friend in his astonishment, though it was expressed in a somewhat mystical way, at the unprepared condition of mind with which the circumstances in which we are now placed found the Government of this country. When I read that the noble Lord the Secretary for Foreign Affairs had had a long interview with the Nestor of the Foreign Office, and that he had been told by that gentleman that we had before us a prospect of the most profound peace, and this within a few hours of his having to prepare for a great and terrible war, I did not feel quite satisfied as to the state of the eyes and ears of that venerable establishment

over which he presides. My right hon. Friend has given us a parallel. He says if our Foreign Office was misinformed the Prime Minister of France was also misinformed, and the ignorance of one might be set off against the ignorance of the other. But I venture to say that any gentleman who has within the last few years travelled over Europe, and who has not had his intelligence obscured by official information, has seen the traces of, as it were, a train of gunpowder extending from Paris to Berlin, which it only required an accidental spark to ignite. And therefore, Sir, with that sympathy which every man feels for his calling, I did hope and expect that our diplomacy would have had its attention directed to the quarter from which such a spark could proceed, so that it might be able to prevent an explosion. Well, everyone knows that during the last year if there has been any question which was vitally interesting to the French Government, it has been the question as to who should be chosen to fill the Throne of Spain. It is also known that, within a very limited time from the period at which I am now speaking, Marshal Prim announced that he had a king in his pocket whom he should at some mysterious moment introduce to his country. Now, my experience of affairs has induced me to think that wherever there is secrecy there is danger; and, therefore, it does seem to me most extraordinary that we should not have endeavoured to ascertain what the secret of Marshal Prim was. It does seem to me, at all events, most extraordinary that we should not have said to him—"For God's sake don't produce to us some candidate who will convulse all the Cabinets of Europe. You see the state, the jealous state, of rivalry and antagonism in which the Governments of France and Prussia stand to each other, and, above all things, don't produce as a candidate for the Throne of Spain a man who can be looked upon as the nominee of Prussia." If we had pursued this natural course, we might have been able to prevent the nomination of this Prince of Hohenzollern, which took us so much by surprise, and has thrown all Europe into so much confusion. So far, then, I agree with my right hon. Friend, and I agree with him also in thinking that the Treaties which Great Britain has en-

tered into should be observed. But let me say that I have not felt so much surprise as has been expressed by other Gentlemen with respect to that sensational and mysterious document, showing a supercilious contempt for Treaties, which appeared in *The Times* newspaper. I do not believe that document had ever the sanction of the *Chancellerie* of Paris or the sanction of the Emperor of the French. The very nature of the document shows it had not. Nay, I will say, if it had been known to the Government of France, that Government would have written to its Ambassador at Berlin, and said to him—"For God's sake withdraw the foolish document which you have left in the hands of Count Bismarck!" Everyone who knows the character of M. Benedetti knows that he is a diplomatist of a very adventurous character. Everyone who knows anything of the circumstances of the time of which I am speaking, knows that he was restlessly occupied with the idea of performing a great achievement, which was to render his name historical, in which I am bound to say he has pretty well succeeded. Neither, I confess, can I place unlimited confidence in any statement which M. Benedetti may have made with regard to the sentiments of Count Bismarck. I do not believe that it was M. Benedetti's wish to deceive any person—I have too high a respect for any gentleman of my profession to believe that. But this distinguished gentleman has a remarkable facility for deceiving himself. It was he who induced the French Government to suppose that Count Bismarck would have no objection to the purchase of the Duchy of Luxemburg by the Emperor of the French; it was he who induced M. Drouyn De L'huys to suppose that he had only to ask for the frontier that was accorded to France in 1814, and taken from her in 1815, and that this very moderate demand would be immediately conceded. Thus it is that I do not attach that very great importance to this document which some ascribe to it, but I do attach importance to this—that France has at all times been anxious and shown a disposition, notwithstanding the Treaties of 1831 and 1839, to acquire the possession of Belgium. And I can state that which it may startle some Gentlemen to hear, that this very proposition which was made by M. Bene-



detti, and which he acknowledges to have made, was, in fact, made when the ink with which the arrangements of 1831, which guaranteed the integrity and inviolability of the Belgian territory, had been signed was hardly dry, by another French Ambassador to another Prussian statesman, with this exception, that Antwerp was to be reserved as a free town for the satisfaction of England. The only difference really was that M. de Talleyrand, not being M. Benedetti, did not give his suggestion in writing; and neither Baron Bulow, nor Lord Palmerston to whom the suggestion was communicated, thought it necessary to give information of it to a morning newspaper. I state all this because I wish it to be understood that I look upon all Treaties as rules which nations lay down for their guidance, but rules which they rarely observe when there is a strong temptation of gain on the one side and no risk of danger on the other. And, therefore, I say if you wish to have your Treaties observed, you must be able to defend them. You must say that you will defend them, and you must have allies on whom you can count who will defend them with you. But whilst I thus, to a certain extent, agree with the substance of the observations made by my right hon. Friend opposite, and concur with him, likewise, in thinking that the obligations by which we are bound imperatively are those which bind us to protect the neutrality and independence of Belgium, I cannot agree with him in what he has said with respect to the Treaties by which in 1815 we engaged to guarantee certain parts of Saxony to Prussia. I will not enter into historical reminiscences as to the circumstances under which those engagements were taken; but I venture to say that even if nothing had since occurred, the circumstances of the present day are so entirely different from those which existed at that time, that they would not be equitably said to bind us now. But how can we be called upon to respect the Treaty of Vienna in regard to the Government of Prussia, when Prussia exists in her present position on account of the violation of that very Treaty? It would be rather too much if we had to lay aside any objections that we might take to the conduct which Prussia has pursued in respect to the Treaty of Vienna and then were to be called upon

in her favour to stand by the obligations under which that Treaty placed us. Again, Sir, as to what fell from my right hon. Friend with respect to armed neutrality, I dissent from him there. I am for taking every means that may be needful for our defence, but I am very much against using any terms that are offensive. I think it perfectly natural that all nations placed in a situation of neutrality should combine together for a common principle, and maintain that principle by common efforts; but I consider it most desirable that in taking the measures which may be necessary for such a purpose, we should do so in the manner least likely to convey the impression that we are bent on war, when our real and essential object is peace. And now, Sir, before I sit down let me be permitted to say that I trust we shall, at least, learn from these sad events that are now passing, an important lesson. I heard not a thousand years ago that there were so many newspapers in the United States of America that it would be the dream of a madman to suppose the Northern States and the Southern could ever come into hostile conflict. I then heard there was so much philosophy in Germany that it was preposterous to suppose the Prussians and the Austrians would ever point their cannon against each other. Then, I was constantly told that a Frenchman was no longer a soldier. He was a stockbroker and a shopkeeper, a manufacturer, a trader, a general speculator, and it was the most absurd thing in the world to suppose that so quiet and peaceful a gentleman should ever again shoulder a musket. Now, Sir, I am well aware that there have been many inventions in the 19th century; but there is one thing which has not been invented, even in this age—a new humanity. We must, then, I think be content to be guided by the result of experience and the knowledge we have already derived from experience as to the nature of mankind in our conduct of human affairs. Indeed, I think I can point out—and it may not be perhaps altogether beside the present question to point out to this House, and through it to the country, that since we have heard so much of military and naval armaments being superseded by international obligations—since we have been told that war was to be done away with by philanthropic

understandings — we have witnessed a more utter disregard for international obligations, more sudden, reckless, and unjust wars than were ever witnessed at any former period. Let us, then, act like men who prefer common sense to speculative theories; let us, I will not say prepare for war, because I hope there will be no war; but let us put ourselves, if we wish to be respected, in a position which we shall be able to defend should war come upon us; and let there be no mystery to the world in our determination to preserve our honour and to stand by our engagements.

MR. GRAVES said, that the House had heard a good deal of argument from the occupants of the Treasury Bench about the armaments of the country under different Governments; but they had heard nothing from that quarter in answer to the question really before the House, and which engrossed the public mind—namely, what would be the policy of this country with reference to Belgium? He hoped that before the debate closed they might hear something authentic as to the views and intentions of the Government on that most important point. He did not wish to embarrass the Government, or to urge them to take any course inconsistent with that caution which it was necessary to observe when serious complications among nations arose; but he thought that now was the moment for the Government to speak out on the subject, if they had decided on a policy. It was not when the struggle had commenced, and when, perhaps, a victory had been gained by one side or the other, that the Government could declare that policy. To do so then would be regarded as an act of hostility against one or other of the belligerent parties. It was for the interest of England, as well as of Belgium, that the Government should take a decided course. England could not afford to be independent of all treaty obligations. Our own safety demanded that we should not disregard them in this instance. Either Napoleon I., or one of his generals—he forgot for the moment which—said that Antwerp in the hands of France would be a pistol pointed at the breast of England; and it was the same that day. He did not quarrel about terms, about whether our neutrality was to be called an “armed neutrality” or a “secured neutrality.” But what he did hold was that we should

see our neutrality respected. No doubt, it was the wish of the country that we should observe a stern neutrality; but, if that neutrality was to be effective, we must be prepared to enforce it. What was the use of disputing whether there had been an increase or decrease of the Army? The real question was, what should be its present position? As far as he had been capable of deriving an impression from the debates in that House during the last two years, he thought the policy pursued had been one of reduction of our Army, and he believed that was the impression left on the mind of the country; but that even- ing they had been told that reduction meant efficiency. That, however, was a way of strengthening their forces which he could not understand. It has been very generally stated that the negotiations with reference to the proposed Secret Treaty between France and Prussia had been continued up to a recent period. If that had been so, it could scarcely have been without the knowledge of Her Majesty's Government. If the Government had known of such negotiations, he thought they had incurred a very great responsibility in reducing the strength of the Army. Thanks to the liberality and the instincts of the House, this country had an unrivalled fleet, and he asked the First Lord of the Admiralty not to treat the ships as reserves, but to put them in commission; to let the country see that there was increased activity at the dock-yards and arsenals, to re-engage some of the discharged workmen, and to push on with all rapidity such ships as were in course of construction. With respect to the Army, although a Vote would be taken for 20,000 more men, he could not shut his eyes to the fact that our main reliance must be upon the Navy. A few thousands of men more or less would, under present circumstances, matter little to the Army; but the number of ships might turn the scale of our command of the sea. He was not an alarmist, but the community with which he was associated had a great stake in the matter; and while during the past month they had been pursuing the peaceful path of commerce their hopes of the future had been destroyed, for confidence was shaken, and the losses which the commercial world had sustained amounted to hundreds of millions rather than to

*Sir Henry Lytton Bulwer*



hundreds of thousands. He urged the Government not to dally with this question, which was the black spot on the horizon; but to declare, before the debate closed, what was their intention with regard to Belgium, so that when the debate was read, as it would be, all over the Continent of Europe, people should not think it strange that no Minister of the Crown had made the slightest allusion to that which was in the minds of all men at this moment.

MR. GLADSTONE: Sir, I am desirous of making an explanation after the speech of the hon. Gentleman (Mr. Graves), because, judging from the misapprehension which possesses the mind of the hon. Gentleman, I am fearful lest a similar misapprehension should exist in the minds of others. I am afraid that I myself may possibly have contributed to it, because I did not mention the name of Belgium. I must tell the hon. Gentleman plainly that it is not in my power to comply with his request to describe the nature of the proceedings which the Government have thought it necessary to take. I wish to remind him that when I referred to the Treaty which was published last week I spoke of the extreme gravity of the event, and I said it had been partly a shock to confidence. Considering what was the subject of that Treaty, it never occurred to me that either the hon. Gentleman or anybody else would not at once perceive that what I said had reference to Belgium. I also stated that the Government had thought it their duty to give the most careful consideration which the time permitted to the grave circumstances thus raised, and they had upon that consideration taken the steps which, in their judgment, were best calculated to secure the establishment of confidence and security. I should be very sorry if, through any fault of mine, it should be supposed that the subject had escaped the attention of the Government, which, on the contrary, it has absorbed.

SIR PATRICK O'BRIEN said, he rejoiced to find that the right hon. Gentleman (Mr. Gladstone) had not answered the question which had been addressed to him, for the speeches which had been made to the House were in many cases onesided, and in several instances were not calculated to preserve neutrality; while the question which the right hon. Member for Buckinghamshire (Mr.

Disraeli) had introduced had ended in a squabble, between two Governments, as to the administration of the Army and Navy of the country. The House ought not to regard what had been done in the past, but ought to look at what was to be the condition of things in the future. Allusion had been made to the Treaty of 1815; but that Treaty had been blotted out. Was there not a Napoleon reigning in France, and was it not an article of that Treaty that a Napoleon should not reign? An attack had been made on the French nation, for when remarks were made about the English fleet being disabled did not everyone know that the only ships which could interfere with that fleet were French ones? The honour of the country was concerned in seeing that neutrality was maintained, and that House looked to the Government to preserve it.

MR. GILPIN said, he felt great satisfaction at the answer that the right hon. Gentleman at the head of the Government had given to the hon. Member for Liverpool (Mr. Graves). He thought the House had during this discussion ignored one very important fact—that the Governments of both the countries which were now at war had emphatically and earnestly declared their determination to respect the independence of Belgium and Luxemburg. With that unqualified declaration from both those friendly Powers it would be offensive on the part of England to thrust in their faces the threat of what this country would do supposing they acted contrary to their promises. That would be a curious way of showing and maintaining our neutrality. He hoped no Member would be able to infer from his remarks that he sympathized with either of the belligerents. On the question of increase of armaments. Increase of armaments meant increase of taxation; and in reply to those who said that was a low form of argument, he said it was a form of argument which many of them had been returned to that House to give effect to. He did not take his stand at that moment on the abstract peace principle, he was prepared to express his belief that the interests of the country were safe in the hands of the Government, and he should have been well pleased if the discussion had terminated with the reply of the First Minister of the Crown to the Leader of the Opposition. It was

difficult to meddle with sparks without scattering them, and the state of Europe was such as to make speeches which, under other circumstances would be harmless, assume an exaggerated character. As to the proclamation of peace principles being responsible for the evils which had come upon Europe, there had been no enunciation of them half so emphatic as that contained in a Book in which they all professed to believe, and when the people of France and Germany came to appreciate what was really true they would say that—

“War is a game which, were their subjects wise, Kings would not play at,”

and they would say that those who made the quarrels should be the ones to fight. By adherence to Treaties this country had been burdened with an enormous Debt, and it was wise that we had not adhered to that solemn Treaty which bound us to keep a Napoleon off the Throne of France. He heartily approved the First Minister of the Crown not giving the pledge asked for by the hon. Member for Liverpool, for such a pledge would be far more likely to offend those concerned than to have any beneficial effect.

MR. FAWCETT said, he wished calmly and earnestly to endorse the disappointment expressed by the hon. Member for Liverpool (Mr. Graves), that nothing more distinct or decided had been heard from the Treasury Bench on the subject of Belgium, for it could have been said without a threat. He was as anxious as any man could be for peace if it could be maintained consistently with the honour of this country; but something could have been said on behalf of Belgium without threatening either France or Prussia. Why could we not say publicly and openly that we rejoiced in the assurances given that the neutrality of Belgium would be respected, because the respect of that neutrality would absolve us from all interference? If that had been said, it would have produced altogether a different feeling from anything which had been said throughout the Continent of Europe. It was stated in *The Times* of that morning—and it was confirmed to him by those who knew France well—that not one Frenchman in a million believed that if the neutrality of Belgium were infringed England would interfere; and if that were the case, and if we were pre-

pared to defend the neutrality of Belgium, was it not better, was it not more just to that country, was it not more likely to secure peace, was it not more likely to prevent this country drifting into war, that we should tell those Frenchmen they were mistaken and that we still cherished the honour of our country? While sympathizing, like the hon. Gentleman who had just sat down, with English people and English taxpayers, he sympathized with the fair name, honour, and reputation of this country. We ought to feel sympathy with a people anywhere who were struggling for freedom, and, above all, we ought to feel sympathy for a small independent nation whose national existence had been threatened, and had been plotted against by rival neighbours, Kings, and statesmen, and which knew that its independence could not be preserved unless it had reason to rely upon the solemn promises of the sacred Treaties of a more powerful nation—that of England.

MR. SOMERSET BEAUMONT said, he shared the regret of the hon. Member for Liverpool (Mr. Graves), that the Government had not been more explicit; but he was disposed to think that the First Minister of the Crown meant to give them to understand that he would, under all circumstances, maintain our Treaties with regard to Belgium. He could not agree that an explicit statement would have endangered peace; on the contrary, he thought it would have done much to insure it. The country was indebted to the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) for having initiated a debate which would leave no doubt on the mind of the country or of Europe as to what was the opinion of that House. He could not say he was much startled by the publication of the project of the Treaty, because all who had closely followed affairs on the Continent must have been aware that schemes of the kind it embodied had been entertained by foreign Princes and statesmen; but extraordinary importance was given to the document when the First Minister of the Crown said its importance could not be exaggerated, and when our Government took the unparalleled course of appealing to the two Governments concerned for explanations as to its authenticity. He accepted the answer

*Mr. Gilpin*



of the right hon. Gentleman to-night as an assurance that he would stand by those Treaties the observance of which the honour as much as the interest of their country demanded.

MR. M. J. GUEST said, he thought a word of advice to our journals would be in season. They ought to observe the same neutrality which the Government were observing, and not by their criticisms draw us into trouble with foreign nations. It was hard for a leading journal to take one side with the immense power it possessed, and induce foreigners to believe that it represented the opinions of the nation, whereas there were many people in the kingdom who did not feel as that journal did. After the assurances of the Government we were justified in feeling that we had a sufficient force to provide for our defence. But if the country was deceived it would go hard with the Government.

Resolutions agreed to.

FOREIGN ENLISTMENT BILL—[BILL 228.]

(Mr. Attorney General, Mr. Solicitor General,  
Mr. Bruce.)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL: I have to move the second reading of a Bill of great importance, the object of which is what the late debate has shown to be the general wish of both sides of the House—namely, the preservation of the neutrality of this country. I do not propose to enter into the discussion of any vexed questions of International Law. I do not propose to discuss the extent to which a neutral country can be required by a foreign belligerent to interfere to prevent her subjects from taking part in hostile preparations. I do not propose to discuss what municipal laws, if any, she can be required to enact; to what extent she can be compelled to enforce them; or for what neglect to enforce them she can be held responsible. I do not propose to discuss these questions because, though Her Majesty's Government are most anxious to discharge all their obligations of neutrality, still it is well it should be understood that the main object of this Bill is not so much to satisfy any demands which foreign nations may be entitled to make against us, but rather to satisfy ourselves, to

maintain the honour and dignity of the Crown, which are compromised when the subjects of the Queen take part in hostilities against a friendly State, and to avoid not merely all cause of offence, but, if possible, all cause of discussion with foreign countries. In a word, Her Majesty's Government have been less careful to ascertain what foreign nations would be entitled to require from us than what we consider due to ourselves—to our own dignity and our own self-respect. It may be that the provisions of our present Foreign Enlistment Act are as strong as can be required of us by a belligerent State—perhaps even stronger. But I think it will be generally agreed that they are not strong enough to satisfy ourselves, and we desire they should be made more stringent. I shall not enter into the *Alabama* question. The *Alabama* escaped by a stratagem which we could not foresee, and which, as we maintain, could not be prevented by ordinary care in the then existing state of our law. We deny that we are responsible to the American Government for the escape of the *Alabama*, though we are willing to submit that question to arbitration. But, whatever the issue in that case, I believe there is no man in this House who does not regret the escape of the *Alabama*, and I am willing to hope that that regret is shared even by the authors of the calamity. I trust there is not a man in this House who does not desire that measures should be taken, if it be practicable, to make the escape of future *Alabamas* impossible. I need not dwell upon the failures—for I fear I must call them such—of the attempts by the Government to enforce the Foreign Enlistment Act. We all know that a suit was instituted against the *Alexandra*, and although it appeared that that vessel had been built for the Confederate Government, and was to a certain extent equipped for their service, still the late Chief Baron directed the jury that, because she was not so completely equipped as to be in a condition to commence hostilities when she left our ports, therefore the Foreign Enlistment Act did not apply; and on appeal to the Court of Exchequer the Court was equally divided in opinion. I believe the ruling to have been wrong, though I am not entitled so to pronounce it, the Court having been divided; but if the law was rightly

laid down by the Chief Baron, that law ought to be amended, and no other *Alexandra* ought to be allowed to escape. I need not name the steam rams which Earl Russell undertook to stop, acting, as I believe, within the powers of the law. We recollect, however, that the proceedings of Earl Russell were seriously impeached in this House, and that upon a Division—nominally for Papers, but really amounting to a Vote of Censure—his conduct in stopping the steam rams was approved by comparatively a small majority. These considerations point to an amendment of the law, and I have reason to suppose that considerations such as these induced the Government of Lord Derby to appoint a Commission in 1868, consisting of men of the greatest eminence, who made a very valuable Report. It was the intention of the Government to propose a Bill some time since, carrying into effect the recommendations in that Report; but the intended Bill gave way to other measures which then appeared more pressing. I think, however, the House will agree that, upon the breaking out of this unexpected and most calamitous war, Her Majesty's Government would have been very much to blame if they had delayed for a single day to introduce this measure. The Bill is founded almost entirely on the Report of the Royal Commission, but in one or two matters it goes somewhat beyond the recommendations contained in that Report. I am quite sure that there is no class in the community more patriotic or more desirous than the mercantile classes are of maintaining peace and neutrality. We must not, however, disguise from ourselves that there are a set of unscrupulous traders—men who seem to have proposed to themselves no object but that of private gain, and who will endeavour to evade the provisions of any Foreign Enlistment Act which we may pass. It is necessary, therefore, in order to meet the subterfuges with which we may expect to have to deal, that the law should be stringent, and leave no loophole for escape. I shall now proceed to state very shortly the main provisions of the Bill. In the first place, instead of the Foreign Enlistment Act being amended it will be repealed, and such of its provisions as are not altered re-enacted, in order that the

whole law may appear in one Bill. With respect to enlistment, the provisions of the Bill are very much the same as those of the existing Act; but they are, I think, expressed in clearer language—a not very difficult task to accomplish, for the present Foreign Enlistment Act is not a good specimen of drafting. Generally speaking, the provisions with respect to enlistment apply to all British subjects in all parts of the world, and to aliens only within the Queen's dominions. There are provisions against enlisting persons under false representations, as in the case of those who engaged Irish navvies to go to America, where they were entrapped into the Federal service. There is a penalty for taking persons illegally enlisted on board ship and a power to detain the ship, accompanied, however, by a power to release her on security being given for the payment of the penalty. I now come to deal with the question of the equipment and fitting out of vessels, with respect to which there has been so much litigation. To this section of the old Act a very important addition has been suggested by the Commissioners, to the effect that it should apply not merely to the arming and equipping, but to the building of a ship. That recommendation was made by all the Commissioners, with the exception of my hon. and learned Friend the Member for Oxford (Mr. Vernon Harcourt), for whose authority I have the greatest respect, although I think that he, in the present instance, was wrong and that the majority of the Commissioners were right. If such a provision were contained in the existing Act, the *Alabama* could not have escaped, and the *Alexandra* must have been condemned. It obviously is very unsatisfactory for a Government to be aware that a vessel is being built for a belligerent, to know her destination, to have to wait day after day till she is completed, and then one fine morning to find that she is gone. Now, that has more than once occurred, and it is desirable that it should not occur again. There is also a provision in this section which touches the case of the mere despatch of a vessel, and a clause containing a provision to the effect that if it is shown that a vessel has been ordered to be built for a belligerent, and is supplied to that belligerent and used for warlike purposes, that shall be held to be *prima facie* evi-



dence that she was built for the warlike service of the belligerent, unless the innocent destination of the vessel can be established. In a provision of that kind there is, I apprehend, no hardship. The Commissioners also recommended—and we have adopted that part of their Report, that proceedings should be taken in the Court of Admiralty rather than the Court of Exchequer. It is provided, therefore, that suits for the condemnation of vessels offending against the Act shall be instituted in the Court of Admiralty. I have now to call attention to a very important power which we propose to give by the Bill. It is the power which it confers on the Secretary of State, on his being satisfied that a vessel is being built or equipped for the service of a foreign belligerent, and is about to be despatched, to issue his Warrant ordering her to be seized and detained, which Warrant is to be laid on the Table of the House. It is further provided that the owner of a vessel may apply to the Court of Admiralty for her release, which he may obtain if he satisfies the Court that her destination was lawful, and not only may he obtain her release but damages for her retention. In order to prevent any hardship there is, moreover, a provision that the Admiralty shall release the vessel on a bond being given that she is not to be employed on any illegal adventure. There is another provision in respect to which the Bill, I admit, goes beyond the recommendation of the Commissioners. It gives power to the local authorities named in it to seize a vessel if they have reason to suppose she is about to escape; but then they will have to report immediately the seizure to the Secretary of State, who will be empowered at once to release her should he be of opinion that there were not sufficient grounds for the seizure, and assuming the vessel to have been seized without reasonable cause, and released by the Secretary of State, the owner will be entitled to claim damages for the detention. These are the provisions by which we propose to attain the object which we have in view, and to render extremely difficult, if not almost impracticable, the escape of any such vessel as the *Alexandra* or the *Alabama* in future. There is besides a provision against augmenting the force of a belligerent vessel in our ports, and one to the effect that a vessel illegally built

shall not be received in our ports. This is a provision which we have introduced in conformity with the recommendation of the Commission; but I am bound to say it appears to me somewhat questionable whether it is not desirable to leave the matter to be dealt with by regulations to be laid down by the Government rather than deal with it in Acts of Parliament. The Bill, I may add, contains a prohibition against fitting out naval and military expeditions, and a provision, which is new to our law, but which is acted upon by all the American Courts, to the effect that prizes captured by a vessel illegally fitted out, if brought into our ports, shall be restored to their owners. These are the principal provisions of the Bill; but in consequence of some misapprehension which seems to prevail, I wish, if the House will permit me, to say a few words with respect to certain provisions which some persons think ought to be contained in the Bill, but which are not. I allude to provisions forbidding the exportation of contraband of war. Those who entertain misapprehensions on this score I would refer to a letter signed "Historicus" which appeared in *The Times* of Saturday, and which contains a clear and correct expression of the Law of Nations on the subject. But as some hon. Members may not have seen that letter I will make a few remarks by way of explanation on the point. The Government of this country does not undertake and has not undertaken in former wars to prohibit the exportation of contraband of war. The exportation of contraband of war is not prohibited by the existing Foreign Enlistment Act, nor, strictly speaking, by the Queen's Proclamation. On this subject, however, it appears to me that a good deal of misapprehension exists. Some people seem to think that the Queen could by her Proclamation constitute a new offence against the law of the land; but to suppose that, would be tantamount to supposing that the Queen could exercise the functions of the whole Legislature. No Proclamation of the Queen can constitute that an offence against an Act of Parliament, or the law of the land, which was not an offence before, and if hon. Members will carefully read the recent Proclamation they will find that the effect of it is as follows:—It draws attention, in the first place, to certain provisions of

the Foreign Enlistment Act which prohibit the furnishing of ships of war, &c., to belligerents, and it indicates that any offence against those provisions will be a criminal and indictable offence. The Proclamation proceeds to warn Her Majesty's subjects—first, against the breaking of blockades; and, secondly, against the supplying of contraband of war; but the consequence of disobeying these injunctions of the Queen are pointed out to be a liability to hostile capture. That is the liability, and the only liability which is pointed out in the Proclamation. The Government have not undertaken to prevent vessels from breaking the blockade, nor to prevent the exportation of contraband of war; but they say to any man who starts with a vessel intending to break the blockade or to supply contraband of war to a belligerent—"You do it at your own risk; you will be subject to capture, and in that case you will be subject to the law of the capturing country, and the Queen will not interfere for your protection." I think it well that this should be generally understood, because many complaints are made against the Government for not preventing the exportation of coal, of horses, of a variety of articles which may or may not be contraband of war. Let us see what has been our practice in former wars. During the Crimean War, for example, Belgium and Holland supplied Russia with large quantities of arms, but we did not treat that as a breach of neutrality. Again, during the American War, large quantities of arms, ammunition, and other contraband of war were supplied by us both to the Federals and the Confederates; but, although the United States complained of us for having allowed the *Alabama* to escape, they made no complaint that we did not undertake to prevent the exportation of contraband of war. They merely captured the vessels when they could catch them. Therefore, provisions to prevent the exportation of contraband of war are not to be found in this Bill any more than they are to be found in our existing Act or in the American Act. This, however, ought to be known. If it be shown that a vessel carrying coal or any other contraband article is so far in communication and correspondence with the fleet of either belligerent as to form a part of it, or acts as a tender to ships of war, such vessel will run the

risk of being captured and forfeited as a store-ship in the service of the enemy. It is true that under the Customs Consolidation Act the Queen may stop the exportation of arms by an Order in Council; but that provision has never been put in force except when we ourselves were actually engaged, or were on the point of engaging in war. I admit that this Bill goes beyond the American Act. Indeed, as far as I am aware, it goes beyond any statute law passed in any country for the purpose of enforcing neutrality. If we had merely considered the strict measure of international duty which might have been imposed upon us, we need not have gone so far; but the Bill has been prepared for the sake of ourselves and of our dignity rather than in order to satisfy any demands which might be made upon us by foreign countries. Although some of its provisions against reckless and unscrupulous traders may be stringent, I think there are none which will interfere with the objects of legitimate commerce. At all events, the Bill has been prepared with much care and consideration by the Government, with the object of promoting what both sides of the House profess to desire — namely, the preservation of the neutrality of this country and the peace and tranquillity of Europe. It has been prepared with that object, and I, therefore, confidently venture to submit it to the candid consideration of both sides of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

MR. STAVELEY HILL said, he cordially endorsed all the reasons adduced by his hon. and learned Friend (the Attorney General) in favour of the Bill; as this country certainly ought to endeavour by every means to maintain its position as a neutral State. But there were one or two of the clauses of this Bill to which he would like to draw the attention of the House. It was very necessary to prevent the recurrence of what happened during the American War, when this country was made a starting point for a ship of war which, as had been aptly remarked, was an expedition in itself. The Bill ought to go further than the Foreign Enlistment Act passed in the reign of George III., but ought not to go so far, in his opinion, as



in any way to cripple our shipbuilding trade. It must be remembered, too, that this Bill would be referred to by a jealous belligerent as the text-book of our duties as a neutral. There were other interests, too, of higher importance than the claims of belligerents. Our shipbuilders ought not to be prevented from carrying on their trade, simply because it was possible that at some period or other some of the ships they constructed might be used in war against or by a friendly Power. The 8th clause made it an offence for any person, without the licence of the Queen—

“To build, or agree to build, or cause to be built, any ship, having reasonable cause to believe that the same shall, or will, be employed,”

&c. He would suggest that some additional words should be inserted in the clause to limit the time from which the liability should commence, and the clause would then read—

“To build, or agree to build, or cause to be built, after the declaration of war, by or against any friendly State,”

&c., the words “friendly State” being defined in another part of the measure. The 5th clause directed a penalty against any persons leaving Her Majesty’s dominions with intent to enter the service of any foreign State; but, surely, we had no right to interfere in that way with the subject of any other country who might be within our boundaries, and who might perhaps be leaving to join the service of his own country. We had no right or reason, for instance, to attempt to prevent an American subject from quitting our shores in order to join the French Army. With regard to the 19th clause, which provided for the jurisdiction over offences against neutrality, he regretted the transfer of jurisdiction which was there proposed. It was very possible that the decision of the late Lord Chief Baron in the matter of the *Alabama* might have been unsatisfactory to the Government; but it was to be regretted that, after the decision had been given, the Government should, in the first Bill on the subject, try to do away with the old method of hearing such cases before one of the Judges of the Common Law Courts and a jury, and send those cases to the Admiralty Court, where there would be no jury to hear them at all. There was only one other point to which he wished

to draw the attention of the House. The power entrusted to officers who would be able to arrest these vessels was somewhat too large; and he believed when the Bill got into Committee his hon. and learned Friend the Attorney General would find that Amendments upon the clauses to which he had drawn attention might be introduced with advantage, in order to keep England, when it was so designed by the Government, a thoroughly neutral State according to the old rule, “not of helping both, but of refusing to help either.”

MR. VERNON HARCOURT said, it was delightful to find the House at last breathing a neutral atmosphere after a six hours’ debate, which was calculated to do anything rather than enable them to preserve neutrality. He rejoiced at the appearance of this measure, notwithstanding the tardy action of the Government respecting the matter with which it dealt. The present law for enforcing neutrality was utterly insufficient. No one could dissent from Lord Russell’s description of the case of the *Alabama*—that it was a scandal to the law of this country, and that the persons who were concerned in that disastrous fraud upon the laws of this country committed one of the most unpatriotic acts of which an Englishman had ever been guilty. He was glad to hear the Attorney General say that this Bill could not be regarded as a Bill founded upon international obligations. It went far beyond anything that could be required by the actual obligations that existed according to the law, as at present in force, between nations. Its object was to restrain private war on the part of subjects in cases where the State itself did not desire to enter into hostilities. But he would venture to say, what he was sure would be confirmed by his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), and by the Vice President of the Council, both of whom were Members of the Commission, that the opinion of of that body was, that what was required was, to extend and enlarge the preventive power of the law rather than to aggravate its punitive provisions. There were two objects—to prevent the offence, and to punish it when committed. The use of punishment was small save so far as it would act as a deterrent; but, even from this point of view, it should be

borne in mind, that if the code was made too severe, there was not in public sentiment, unfortunately, that conviction of moral turpitude attaching to offences of this character which would enable them to carry out the provisions of the Bill. Besides, if great weight was placed upon the punitive portions of the Bill, foreign Powers would be continually complaining of our not prosecuting sufficiently. It was not desirable, nor would it be possible, to get rid of the action of a jury in trying a misdemeanour, though he thought it was quite right—and therein he differed from his hon. and learned Friend (Mr. Staveley Hill)—that in endeavouring to prevent the offence they should make use of the Court of Admiralty. A jury might be unwilling to give a verdict against a prisoner if the punishment was made too severe. He regretted that the punitive clauses, which, in certain states of public feeling, could not be carried out, had been multiplied, and that the strength of the Bill had not been thrown into the preventive clauses. It was also a matter of regret to him that the Bill was not brought forward earlier. But he had discharged his conscience, for last Session and this he pressed the Government to deal with the question. He could not conceive a measure of greater importance, and he was unable to understand why the matter had been postponed to a period at which they had very little time to give it the consideration it required. A Bill of this kind should have been sent to a Select Committee, who might carefully consider the clauses and see that they were properly drawn. They might have a case like the *Alabama*, where the law broke down owing to the imperfect wording of the statute, and the credit of this country might be sacrificed, all because the measure was introduced at a period when, owing to want of time, it was impossible to secure that the clauses should be so carefully worded as to obviate such a calamity. In the existing Foreign Enlistment Act, and in this Bill by which it was sought to amend that law, power was given to the Crown to suspend the Act and dispense with the provisions of the law altogether. He was unable to understand upon any principle either legal or constitutional, how such a course was defensible. If this measure was justifiable, it was because what it proposed to do was proper to be done by the authority of the Le-

gislature. It was not a mere executive Bill. In an Act of that solemn and important character to give a discretion to the Executive to dispense with its provisions, at any moment enabling them to say that British subjects might take part in private war against a country with which the Government was at peace, was to give the Executive power to do what Mr. Canning denounced as “sneaking a country into a war which it had not the courage to declare”—a most dangerous power for any Government to possess. There was one case—that of the Spanish Legion—in regard to which the Foreign Enlistment Act was suspended by an Order in Council. For a Government not to declare war, and yet to allow subjects to carry on a private, and he would say predatory warfare, was discreditable to the character of any country, and was inconsistent with any principle on which the present Bill could be defended. Let the Executive Government declare war, with the responsibilities attaching to the act, if they declared it at all. In America, where the power of the Executive was certainly not small, no such thing would be allowed. As regarded Clause 5, he agreed with the hon. and learned Member for Coventry (Mr. Staveley Hill), that in the case of foreigners in this country, the Government had no right to say, as they might fairly say to their own subjects, that they must not leave British shores with the intention of enlisting in the armies of other countries. They had no right to ask a foreigner who owed only a temporary allegiance to this country what he was going to do when leaving it. If he did any act whatever in this country which gave effect to his intention they had a right to punish him; but to lay hold of an intent which had not developed itself would be a proceeding not authorized by any principle of law. Clause 6 was a useful clause. It provided for the punishment of persons who induced others to enlist in a foreign army; the crimps of belligerents, who got hold of sailors and shipped them off without telling them whether they were going, and then endeavoured to make them sign articles at sea. That clause, however, concluded with a singular paragraph to the effect that if a person taken abroad should ultimately enlist in a foreign service it was to be deemed conclusively that such person



quitted Her Majesty's dominions with the intent to accept an engagement in the military or naval service of such foreign State. This would be contrary to the fact; and was quite incompatible with what was before provided. He thought the clause would be better without that paragraph. The 9th clause related to illegal building of ships, and, in his opinion, it was open to considerable difficulty. If the Government took upon itself to forbid the building of vessels of any particular description, they would make themselves responsible for every keel laid in this country; and the representatives of foreign nations would think it their duty to be constantly urging them to interfere in a manner calculated to materially check their shipbuilding trade. The private shipbuilding trade in this country was a most important one, as it afforded them in time of war splendid dockyards which cost them nothing to maintain in time of peace. There were half-a-dozen places on the Clyde and the Thames which could turn out ironclads as perfectly as the dockyards of Portsmouth and Plymouth. Those private yards were supported by the custom of foreigners, who had recourse to them in order to get their vessels built. He warned the House against passing—he would not say in a moment of panic, but without a sufficient amount of consideration—any measure which was calculated to drive away that trade, and thereby to transfer from these shores to other foreign nations the advantages which they now enjoyed in the private dockyards to which he had alluded. All that was necessary in order to carry out the intention of the measure was to prevent the despatch of the vessel when built, not to interfere with the building, and he thought that that object was fully provided for by another clause in the Bill. Under Clause 7, which supplemented the provisions of Clause 5, if any American were to leave this country for America by one of the Cunard Company's ships, and were subsequently to enter the service of any of the States of South America, the captain of the ship so carrying him would be liable to two years' imprisonment. That would be stretching the law to a most injudicious extent—because he did not think that Parliament had a right to inquire into the motives or designs of any foreigner when he left these shores, and he thought that

it was absurd to say that the captain of the vessel conveying him should be responsible for what was concealed in the mind of the foreigner during the voyage. He trusted, therefore, that the hon. and learned Gentleman would consent to strike that clause out of the Bill. The Attorney General had stated that it was his intention to strike out Clause 11, which was intended to prevent the hospitality of their ports being extended to vessels that had illegally left that country, on the ground that he thought its object would be better carried out by means of a regulation to be enforced by the Executive. He (Mr. Vernon Harcourt) entirely agreed with the necessity that existed for the enforcement of some such regulation, because he believed that had the *Alabama* been excluded from our ports after she had escaped from this country, the difficulties that had arisen between this country and America in reference to that vessel would have been avoided. He certainly approved of the measure, which he thought the best and most complete law for the enforcement of neutrality that ever existed in any country.

SIR ROUNDELL PALMER said, he was glad that the House generally was so nearly agreed upon the importance of and the necessity for passing this measure. It was most desirable that the statement of the Attorney General that a nation was not bound by International Law to legislate upon this subject should be thoroughly understood and generally known. In fact, it was only in this country and in the United States that such legislation had occurred, although, no doubt, in many Continental nations there were elastic powers in force which enabled the various Governments to deal with cases of the description referred to in the Bill when they happened to arise. All subjects of the country owed to the Government the duty of being neutral when the State was neutral; and if the State found any tendency to a dangerous violation of that principle, it was the duty of the State to arm itself with powers to repress any attempt on the part of private citizens to oppose the public will to be neutral. The difficulty of enforcing neutrality was never more shown than in the case of the American War, though he believed that no Government ever discharged the duties of neutrality more faithfully and honestly

than did the Government of that country at that time. His hon. and learned Friend the Member for Oxford (Mr. Vernon Harcourt) had suggested that the House should seize the opportunity of doing what was not done by the existing Foreign Enlistment Act, and should take from the Crown the power of granting a licence to do any acts which, under the Foreign Enlistment Act, would be illegal if done without the licence of the Crown; but to legislate to deprive the Crown of the power of taking a single step of that kind, without going to war altogether, would be imprudent and foreign to the purposes of the present Bill, for there might be many cases in which it would be inexpedient to enter upon war, though the State did not assume an attitude of strict neutrality. A matter of high policy of that kind ought not to be dealt with by a side wind in such a Bill as the present. The 5th clause related to persons leaving this country to enlist in the service of a belligerent whose subjects they were not, and if it were expedient to retain such a clause, it was also expedient that the Crown should have the power of relaxing its operation. And so with regard to the important case of shipbuilding; if a power of relaxation was not given to the Crown, there would be involved in the penalties of the Bill any person who took a contract to build a ship before the commencement of war, and yet might be willing afterwards to go to the Government and ask for a licence, undertaking, at the same time, not to allow the ship to leave the country. With regard to the 7th clause, they must consider not merely the case of the solitary American alluded to by the hon. and learned Member for Oxford, but must look at the larger case. There were in this country a great number of foreigners of various nations, and it could not be maintained that the principle of neutrality would be observed, if a recruiting sergeant were allowed to go through the country to enlist persons for the service of a foreign State of which they were not the subjects. With regard to the clause respecting illegal shipbuilding, he held that great injustice would be done to shipbuilders if they were allowed to build ships but were not allowed to despatch them to their destination, or deliver them to their customers after they were built. If the real object

was to prevent such cases as those of the *Alexandra* and the *Alabama*, they must give the Government sufficient power in the first instance. Shipbuilders should, in fact, be invited to go to the Government and lay contracts before them which they had suspicion of, and take their opinion upon the question of whether they should or should not proceed with them. He was of opinion that if the power conferred by that clause were not given the Bill would be emasculated. He thought it of infinitely greater importance that all shipbuilders and traders in this country should obey the law with respect to the neutrality of their country, than that they should have a few contracts on their hands more or less.

Mr. SAMUDA said, he feared that much mischief would be done to the large and important shipbuilding industry of the country if this Bill were allowed to pass in its present form. Under certain clauses an honest and honourable shipbuilder might find himself rendered liable to imprisonment without his having any intention to commit an illegal act. He thought the whole objects of the Bill might be obtained by the fourth sub-section of the 8th clause, omitting all the others, avoiding all restrictions on shipbuilding, and only requiring stringent securities that the vessels should not be despatched without a certificate from the Secretary of State for Foreign Affairs.

Mr. RATHBONE said, in the name of the mercantile community, he thanked the Government for introducing this Bill, which only carried out the policy which the shipowners of Liverpool pressed on the Government of the day very soon after the escape of the *Alabama*. The mercantile community would give their utmost support to the Government in maintaining a faithful and true neutrality.

Mr. BOURKE said, he would support the second reading of the Bill; but he regretted that it had not been introduced at an earlier period of the Session, and that they should now have the appearance of legislating to meet special circumstances, though the provisions had been matured in a time of profound peace. It was very necessary to review the provisions of the old Act. At the same time, Earl Russell was among the many distinguished persons who had



formerly been of opinion that the Foreign Enlistment Act was sufficient for the purpose. The practice of neutrality was in many respects very embarrassing, from the fact that this country had become the arsenal, dockyard, and workshop for every nation in the world; and the man who delivered 1,000 rifles to one of the belligerent nations infringed the principle of strict neutrality as much, in his opinion, as the man who built them a ship. While, therefore, he agreed that further legislation was necessary, he recommended the Government to rely more on the preventive than the punitive clauses, and not to attach a brand of criminality to the acts of ship-owners, while others were allowed to go free.

VISCOUNT BURY said, he could not agree with the hon. Member (Mr. Bourke) in regarding this as an inopportune moment for bringing forward this Bill. The fact that war was raging on the Continent was no reason for not amending our municipal law in points where this was notoriously defective. It was ridiculous to say that a builder did not know that the vessel he was building was for war purposes; and it was a less evil that the shipbuilding interest should suffer a little, than that the whole nation should be involved in difficulties.

*Motion agreed to.*

Bill read a second time and *committed for To-morrow.*

#### POST OFFICE (re-committed) BILL.

(Mr. Dodson, Mr. Chancellor of the Exchequer,  
Mr. Stansfeld.

[BILL 219.] COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clauses 1 to 7, inclusive, *agreed to.*

Clause 8 (Postage on newspapers, book and pattern or sample packets and cards).

Amendment *moved*, in Clause 8, page 3, line 10, after "newspapers," to insert the words "and other registered periodical publications."

Line 13, leave out all after "postage," to end of Clause, and insert,—

That is to say :—From and after the thirtieth day of September, one thousand eight hundred and seventy :—

- (1.) Registered newspapers, whether singly or in packets of two or more, at a maximum rate for each newspaper with its supplements of . . . . . one halfpenny
  - (2.) Packets of printed matter, consisting wholly or partly of books, newspapers, periodicals, or other printed papers and pattern or sample packets, at the rate for each packet of—  
If it does not exceed 2 ounces in weight . . . . . one halfpenny  
If it exceeds 2 ounces in weight for the first 2 ounces, and for every additional 2 ounces or fractional part of 2 ounces . . . . . one halfpenny
  - (3.) Post cards, for each . . . . . one halfpenny
- And from and after the first day of January, one thousand eight hundred and seventy-one :

- (4.) Registered newspapers and other registered periodical publications in packets, consisting of one or more, at the rate for each packet of—  
If it does not exceed with supplements and cover 4 ounces in weight . . . . . one halfpenny  
If it does exceed 4 ounces in weight for the first 4 ounces, and for every additional 4 ounces or fractional part of 4 ounces . . . . . one halfpenny

Provided that the rates to come into operation from and after the first day of January, one thousand eight hundred and seventy-one, shall not supersede or affect the right of any one to send newspapers by the post according to rate (No. 1.)  
—(Mr. Watkin Williams.)

THE MARQUESS OF HARTINGTON said, he did not wish to hold out a threat; but he would say that opposition to the Bill at this period of the Session was extremely critical, and anything in the shape of delay might amount to postponing the measure certainly for one Session, and it was impossible to say how much longer. The objection to the proposal of his hon. Friend was this—that when the Government had eliminated from the consideration of the subject the element of weight as regarded the heavier newspapers, he sought to reintroduce it as against the Post Office in favour of the light newspapers. His hon. Friend, in effect, said—"You may carry *The Times* or any of the heavier newspapers for a halfpenny because they are newspapers; but you ought to carry several numbers of *The Echo* up to four ounces not because they are newspapers, but because they are printed matter." That was a proposition which he could not accept. The proposal of the Government carried out

even more than was asked for last year ; and he did not think they could fairly be asked to adopt his hon. Friend's proposal. The Government did not see their way to make any further concession. If they had proposed an uniform rate per ounce on all newspapers it would have been an unfair handicapping of the heavy newspapers against the light ones ; and it would have been encouraging the worst class of newspapers or those giving the smallest amount of information. Lord Derby's Administration, if time had allowed, had intended to make an arrangement by which papers like *The Times* would be placed on the same footing as the lightest newspapers. The book-post rates were unaffected by the Bill.

MR. GRAVES said, he hoped the Amendment would not be pressed. The Bill carried out the pledge given by the Government that every newspaper, whatever its weight, should be conveyed for a halfpenny. After much consideration, he had determined to stand by the principle that a newspaper, whatever its weight, should be carried for a halfpenny. They should accept the Bill as far as it went, and reserve the question as to further concessions to some future occasion.

MR. McLAREN said, he thought the definition of a post-card should extend to an open sheet of paper.

SIR JOHN GRAY said, that he believed a book-post parcel containing newspapers might, like other book parcels, be delayed in the Post Office for 24 hours.

Amendment, by leave, *withdrawn*.

MR. M'LAGAN said, the Bill gave greater advantages to the large than to the small papers. He proposed as an Amendment in Clause 8, page 3, line 29, at end, add—

"Provided also, That registered newspapers with or without supplements or supplements sent into the Post Office in bulk, addressed either singly or in packets of two or more newspapers, direct from the publishing office of the newspaper, and not otherwise, shall be weighed in gross and charged at a rate not exceeding one halfpenny for every four ounces of the gross weight of such newspapers, supplements, and covers."

THE MARQUESS OF HARTINGTON said, he could not accept the Amendment. He maintained that the Bill was

*The Marquess of Hartington*

a much greater boon to the small than to the large newspaper. He believed that such a paper as *The Times* cared very little for the amount of postage imposed on each copy of its publication.

Amendment *negatived*.

Clause *agreed to*.

Clauses 9 to 16, inclusive, *agreed to*.

Clause 17 (Despatch and delivery of book packets, &c.).

Amendment proposed, in line 18, to leave out the word "newspaper."—(*Sir John Gray*.)

THE MARQUESS OF HARTINGTON said, he could not agree to the Amendment.

MR. GRAVES said, he would suggest that the Amendment should be deferred till the bringing up of the Report.

Amendment *negatived*.

Clause *agreed to*.

Remaining clauses *agreed to*.

Bill *reported*, without Amendment ; to be read the third time *To-morrow*.

#### GLEBE LOANS (IRELAND) BILL.

(*Mr. Chichester Fortescue, Mr. Stansfeld, Mr. Solicitor General for Ireland.*)

#### [BILL 222.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."

MR. NEWDEGATE: Mr. Speaker—There has been one discussion only upon this Bill, and in that discussion the right hon. Gentleman the First Lord of the Treasury made the singular announcement that it was exceedingly undesirable that the discussion on the Bill should reach the country. The measure is, in fact, one which the House of Commons is invited to pass at the end of the Session, and under circumstances which preclude the possibility of the country understanding what is the exact nature of the proposition. The hon. Member for Cork (Mr. Maguire) also, after the debate, rose and said that it would have been absolutely fatal to the Bill if it had been introduced at an early period of the



Session, and the country had thereby become aware of its provisions. [Mr. MAGUIRE: No!] The hon. Member says "No!" I am afraid, therefore, that he has been greatly misreported, for I find the same report of his observations in all the newspapers; and, if the hon. Member differs from the First Lord of the Treasury on the subject, all I can is, that all the reporters must have been mistaken. But I can easily understand the objection of the right hon. Gentleman to the country becoming aware of the nature of the measure. It is only two years ago that the right hon. Gentleman succeeded in removing from Office the late Lord Derby's Government, and that principally upon the ground that it had proposed to endow a certain Roman Catholic University. It was understood that that was to be the principle upon which Lord Derby's Government was to proceed—the principle technically called in the House "levelling up;" whereas the right hon. Gentleman the First Lord of the Treasury and his Government adopted the principle of "levelling down," and in deference to that principle disestablished and disendowed the Irish Church. The only excuse for the measure before us is that there was a failure in their intentions with respect to the Irish Church, so that the Irish Church was not entirely dispossessed of its glebes and manses; and then it seems to have been thought by the right hon. Gentleman the First Lord of the Treasury that, whereas with respect to Ireland he has adopted the principle of religious equality, and particularly with reference to the Roman Catholic Church, therefore it is necessary that he should proceed indirectly, as he says, but I believe directly, to endow the clergy of that Church with glebes, and with the means of erecting houses for their residence, of whatever nature those houses may be, and whether they are houses for communities of secular priests—as the Oratory at Brompton was described in the Committee on which I have lately been serving, and which we decided to be a monastic institution—or monasteries of any other kind. Sir, there is in the Bill no limit to the amount which the Treasury may dispense for these purposes; and it is a noteworthy fact—although the right hon. Gentleman the Home Secretary and no doubt the right

hon. Gentleman the Chief Secretary for Ireland are exceedingly anxious that it should not be noticed—that this Bill incorporates no less than five statutes, which together contain 204 clauses. It would have been 206 clauses, but two are to be repealed; and I am perfectly certain of this, that there are not 20 Members in this House who have examined the statutes thus included. I have done my best, since the Bill went through Committee at a late hour of the night, to make it known, and now the right hon. Gentleman the Chief Secretary for Ireland tells me that he is so determined to force on the measure that he is prepared to take the Report at any hour. It is now 35 minutes past 2 o'clock, and, this being a measure which involves a very important principle—a principle which the Government are most anxious that the country should not understand—I must say that I think the proceeding one such as I have never before known to be taken by any Government. To say that these advances of money are to be loans! Why, they are money to be lent not only upon mortgage, but upon personal security, which is a novel principle. And, as to the repayment of these sums, why we know that in the case of Maynooth there was a debt contracted which has never been paid, and has had to be cancelled. The reason of the Government for forcing this Bill on is that it may be carried without the knowledge of the country. But at 35 minutes past 2 in the morning I will not detain the House longer than to say that, of all the measures which are inconsistent with the declarations on which the Government obtained power, this is one of the most extraordinary, and that the attempt of the right hon. Gentleman the First Lord of the Treasury to force a measure of this sort through the House, in order to avoid discussion, justifies me in moving that the Bill be considered on this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Newdegate.*)

Question proposed, "That the word 'now' stand part of the Question."

Debate arising.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Sinclair Aytoun,*)—put, and *negatived.*

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 41; Noes 24: Majority 17.

Main Question put, and agreed to.

Bill considered.

Amendment made.

Bill to be read the third time To-morrow, at Two of the clock.

House adjourned at half after  
Three o'clock.

## HOUSE OF LORDS,

Tuesday, 2nd August, 1870.

MINUTES.]—PUBLIC BILLS—*First Reading*—*Real Actions Abolition (Ireland)\* (271)*; *Public Schools Act (1868) Amendment\* (272)*; *Petty Sessions Clerk (Ireland) Act (1858) Amendment\* (273)*; *Pensions Commutation Act (1869) Amendment\* (274)*; *Norfolk Boundary\* (275)*; *Matrimonial Causes and Marriage Law (Ireland)\* (276)*.

*Second Reading*—*Gun Licences\* (241)*; *National Debt\* (249)*; *Forgery\* (248)*; *Statute Law Revision\* (250)*; *Pedlars' Certificates\* (251)*; *Militia Acts Amendment (266)*; *East India Contracts\* (189)*; *Brokers (City of London)\* (268)*.

*Committee*—*Census (264)*.

*Committee—Report*—*Shipping Dues Exemption Act (1867) Amendment\* (233)*; *Sewage Utilization Supplemental\* (230)*; *Vestries (Isle of Man)\* (232)*; *Extradition\* (211)*; *Sanitary Act (1866) Amendment\* (253)*; *Petroleum\* (265)*; *Dublin City Voters Disfranchisement\* (237)*.

*Report—Juries\* (246)*; *Army Enlistment\* (269)*; *Pier and Harbour Order Confirmation (No. 3)\* (228)*.

*Third Reading*—*Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)\* (227)*; *Elementary Education\* (270)*; *Absconding Debtors\* (263)*, and *passed*.

## MILITIA ACTS AMENDMENT BILL.

(*The Earl Russell.*)

(No. 266.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL RUSSELL: My Lords, I rise for the purpose of asking your Lordships to give a second reading to the Bill which I laid on the Table yesterday. I introduced it on my own responsibility, without any consultation with the Government, thinking it better that I should do so, and leave to the Govern-

ment to deal with the measure as they should see fit. The Bill relates to the calling out and embodiment of the Militia; and I think that, as a general question, such a Bill might very well be introduced at this time, when an exaggerated jealousy of the power of the Crown and of the maintenance of anything like a standing Army no longer exists. On general grounds, therefore, it is very desirable to extend the power of the Crown in this respect, and no mischief could happen to the country therefrom. I confess, however, that it is not merely for such reasons that I propose this Bill. It is on account of other circumstances that I desire to give the Crown this discretionary power, which they may use if the necessity should arise, and which may remain in abeyance if no such emergency should occur. Of course, it will be for the confidential Advisers of the Crown to give their opinion at any time whether the exercise of the power is required. The present state of affairs on the Continent is more than usually anxious and difficult. After the revelations we have lately had, and after the public correspondence which has lately appeared, it is utterly impossible to say what may be the exigencies which the Ministers of the Crown may have to encounter, and it is therefore desirable that before Parliament separates—which must soon occur—the Government should be armed with full power of acting in any way that may seem to them to be good. We are in a position of neutrality. A great war has arisen on the Continent, in which our near neighbours are involved. It might be supposed that after obtaining explanations on the subject we should have nothing to do but to watch the course of the war, and to perform towards each of the belligerents the duties which rest upon as neutrals. That, however, is not our real position; for besides the duties of neutrality, which are sometimes exceedingly delicate and difficult, we are engaged in Treaties by which we are bound to certain other Powers. I will state the engagements to which we are bound in respect of Belgium. The Treaty respecting Belgium, which was signed in London in 1831, is one of considerable detail. It defines the provinces belonging to Belgium and their boundaries; and in the 7th Article it goes on to say that Belgium, in the limits pointed out



by the former Articles, shall form an independent and perpetually neutral State, and shall be bound to observe such neutrality towards all other States. The Powers who were parties to the Treaty—namely, England, France, Austria, Prussia, and Russia—then proceed to guarantee to His Majesty the King of the Belgians the execution of the preceding Articles. This, I imagine, means that they guarantee the territory, the provinces named in the Treaty, the independence of Belgium, and its neutrality. A more specific and defined obligation cannot well be conceived. It was a subject of some discussion at the time of the Treaty regarding Luxemburg whether it should be a collective guarantee or a guarantee both collective and separate, and whether there was not some difference in the obligations of those two guarantees. The late Lord Derby then remarked that the guarantee as to Luxemburg was similar to that of 1831, which guaranteed the independence and neutrality of Belgium, which was binding individually and separately upon each of the Powers. The late Lord Clarendon also said that he had always looked on our guarantee as an individual guarantee. It is clear, therefore, that each of the Powers is bound to preserve the independence and neutrality of Belgium. Now, there have been occurrences lately which make one apprehensive that the guarantee may require to be enforced by the various Powers who signed it. Your Lordships and the public are aware that some very curious papers have appeared lately, beginning with a document called a *Projet de Traité*, and that the Ministers of France and Prussia have issued letters in which most extraordinary facts in connection with that document are related. It is impossible not to feel some anxiety—some fear—for the future when we read that in 1866, and at more recent periods, the Prime Minister of Prussia and the confidential Ambassador of the Emperor of the French have been considering how that Treaty of 1831 shall be violated, how faith shall be broken, and how the independence of Belgium shall be destroyed. Belgium has given no offence. It is a prosperous kingdom, in the enjoyment of free institutions; and, although there have been disputes from time to time as to the railroads and other insignificant matters, I never heard any

one deny that both under the late King Leopold, a most wise and sagacious Sovereign, and under the present King, it has pursued a course friendly to all other States, maintaining its own independence, and offending no other country. It is surely, therefore, an extraordinary discovery to find that the independence of that State has been a matter of concert and arrangement between other Powers. For my part, I confess I feel somewhat as if a detective officer had come and told me he had heard a conversation with respect to a friend of mine, whom I had promised to guard as much as was in my power against any act of burglary or housebreaking; and that two other persons, who were also friends of mine, had been considering how they might enter his house and deprive him of all the property he possessed. I should reply, under such circumstances, that I was very much astonished to hear it, and that I could not, in the future, feel perfect confidence in either of the parties to that conversation. Such being the case, one becomes apprehensive as to the security of Belgium, and one naturally looks to see what further security we can discover. A noble Earl not now present (the Earl of Malmesbury), who filled during one Ministry the Office of Foreign Secretary, and that of Privy Seal during the last Administration of the late Lord Derby, recently brought under your Lordships' notice a letter which I had not known of before, which he deemed authentic, and which, from his opinion of its value, is clearly of considerable importance. It relates a conversation of the French Emperor with a writer, who does not give his name, but signs himself "An Englishman." This gentleman appears to have been received with great courtesy by the Emperor, and was told that he was at liberty to make public the statements he might make in the course of the conversation. I naturally referred to this letter to see if there was any greater security for Belgium than I had hitherto supposed. I thought the Emperor might have declared that all these stories were entirely false, and that Belgium might rest assured, under the faith of the various Powers who had signed the Treaty. I am sorry to say I found no security of that kind; although I do find many things which may be considered an explanation of the Emperor's

reasons for making a war of aggression on Prussia. The writer gives these as the Emperor's words—

"I had no notion that war was at hand, nor am I even, at this moment, by any means prepared for it. I trusted that, when the Duc de Gramont had set me straight with France by speaking manfully in public as to the Hohenzollern candidature, I should be able to manipulate and handle the controversy as to make peace certain. But France has slipped out of my hand. I cannot rule unless I lead. This is the most national war that in my time France has undertaken, and I have no choice but to advance at the head of a public opinion which I can neither stem nor check."

Now it may be a question whether the charioteer had not himself lashed the horses which he found himself afterwards unable to guide. But, putting aside that point, the main question is, what security have we for the performance of the obligations of France towards Belgium after this communication? There are, we know, some objects which are very dear to the popular mind in France. The fault of the French, if I may say so, is, that having great susceptibility with regard to their own honour, their own position in Europe, and their own territory, they are apt to forget what is due to other Powers, which may also have their susceptibilities. There cannot be a more striking instance of this than a conversation reported by the Prussian Ambassador at Paris, who said he was told by the French Prime Minister and the Minister for Foreign Affairs that if the King of Prussia would do certain acts, and write a certain letter, which could be laid before the Legislative Body of France, the difficulty would be settled. These two Ministers seemed to forget that there was another Parliament besides that of France; and that the Parliament with which the King of Prussia would wish to stand in a good light, and before which he would wish to be defended, was not the French Parliament, but the Parliament of the North German Confederacy. There is, I say, that defect in the French mind that, while anxious—and rightly so—for their own honour and position, they are neglectful of what is due to others. Such being the case, we know that there are two passions which have very much inflamed a great party in France of late years. The one has been a feeling of jealousy at the aggrandizement of Prussia—a feeling that Prussia was becoming a great Power in

Europe, and would supplant France in the primacy which she has so often held in any transactions relating to the Continent of Europe. There is another passion which has burnt very strongly in the bosoms of Frenchmen—a passion which has a regular name in the French language, and which is not only the subject of newspaper articles, but is the foundation of a very learned geographical work which was noticed in *The Times* a few days ago. That passion is the wish to increase her territory on the French side of the Rhine. Belgium stands in the way of that passion, and when, therefore, I am told that the Emperor has himself said he could no longer check or stem the French passion, but was obliged to put himself at the head of the people in order to make a great—and, in my opinion, most unjustifiable—war, because had he not done so he could not have remained on the Throne of France—it naturally occurs to me, as indeed it must to everyone, that a similar passion on the part of the French people may carry him onwards, and that if victories should distinguish the French arms at the beginning of the war, that passion may carry him away, without the power of checking or stemming it, for the annexation of Belgium. In view of the projected Treaty, and of the statements that have emanated from Count Bismarck as well as from the Emperor, it would be unwise of us if we pretended to shut our eyes to the danger, and did not admit that we ought to entertain apprehensions that the Treaty respecting Belgium may be violated. Let me again remind your Lordships of our obligations—obligations of the most sacred kind—into which we have entered to guarantee the independence and neutrality of Belgium, separately as well as conjointly with other Powers. I ask myself, then, what course we should pursue? The only answer I can make is, that it is not a question of three courses or of different paths. There is but one course and one path—namely, the course of honour and the path of honour, which we ought to pursue. We are bound, then, to defend Belgium. I am told that that may lead us into danger. Now, in the first place, I deny that any great danger would exist if this country manfully declared her intention to stand by her Treaties, and not to shrink from the performance of all her engagements.



I am persuaded, for my part, that neither France nor Prussia would then attempt to violate the independence of Belgium. It is only the doubt, the hesitation that has too long prevailed as to the course which England would take which has encouraged and fostered all these conversations and projects of Treaties, all these combinations and intrigues. I am persuaded that if it is once manfully declared that England means to stand by her Treaties, to perform her engagements—that her honour and her interest would allow nothing else—such a declaration would check the greater part of these intrigues, and that neither France nor Prussia would wish to add a second enemy to the formidable foe which each has to meet. France, having Prussia to deal with, would not like to encounter Prussia and England, while Prussia, having France opposed to her, would not like to have France and England united against her. I am persuaded that both would conform to the faith of Treaties, and would not infringe on the territory of Belgium, but till the end of the war remain in the fulfilment of their obligations. When the choice is between honour and infamy, I cannot doubt that Her Majesty's Government will pursue the course of honour—the only one worthy of the British people. The British people have a very strong sense of honour and of what is due to this glorious nation. I feel sure, therefore, that the Government, in making that intention clear to all the world, would have the entire support of the great majority of this nation. I need hardly speak of other considerations which are of great weight. I consider that if England shrank from the performance of her engagements, if she acted in a faithless manner with respect to this matter, her extinction as a great Power must very soon follow. Nor can I suppose that when the First Napoleon, a man of almost unequalled genius, who knew so well the interests of nations, and who above all calculated the value of a great military position, said—"Antwerp is a pistol held at the head of England," he did not know what he was saying, and did not estimate rightly the value of that important place. Although circumstances have much changed since that time, the force of that opinion is still as great as ever. Perhaps I may say, indeed, that the importance of Ant-

werp has greatly increased since the time when the First Napoleon projected an invasion of these shores. It might have been thought possible then, by the cleverly-devised scheme which he intended to carry out for getting the command of the Channel for 24 hours, for a number of small boats from Boulogne and the French Coast to cross the Channel and invade this country. I do not imagine that anyone would now suppose that any collection of small boats at Boulogne would be otherwise than sunk in the sea before they reached our coast. It could not be otherwise; but it is quite a different thing with regard to the Scheldt. Difficult as the navigation of the Scheldt may be from its mouth to Antwerp, you find there deep water. A formidable navy might be collected there, and, without any enemy who had not command of the land venturing to assail them, an expedition might be prepared, as in a former war, which would be really formidable to this country. Now, the present noble Earl (the Earl of Derby) Secretary for Foreign Affairs under the Government of the late Earl, addressing his constituents when Lord Stanley, said England had one great ally—her best ally—and that was the sea. That is perfectly true; but in former days—in the days of Elizabeth, and George III., and at various intervening periods—we have had the assistance of great storms, which have dispersed our enemies when they sought to reach our shores. But the science of navigation has since greatly changed, and that passage which it was difficult for a ship to make, when Providence protected William III. by bringing him safely over and which destroyed the Great Armada by a frightful storm, is no longer so difficult. Those advantages can no longer be reckoned upon as deciding whether an enemy should land upon our shores. Of course, the Government will take care to have not merely one fleet to protect our shores, but other fleets in distant parts of our dominions sufficient to protect our interests. Under the able First Lord of the Admiralty everything that science and preparation can suggest will, I am sure, be done; but still there is the fact that at such a port as Antwerp great steamers may be prepared and an expedition fitted out. These are questions of policy which, however, I do not regard as the main question to be con-

sidered; the main thing is, how we can best assure Belgium, assure Europe, and assure the world that we mean to be true and faithful—that the great name which we have acquired in the world by the constant observance of truth and justice, and by fidelity to our engagements, will not be departed from, and that we shall be in the future what we have been in the past. But in proposing this Bill as a means of enlarging the power of the Crown of sending an expedition—if the King of the Belgians should wish for the aid of an expedition—I must say that the great thing of all is that the Members of the Government of this country should declare openly and explicitly that they mean to be true to our Treaties, and faithful to our engagements, and will not sully the fair name of England.

*Moved*, “That the Bill be now read 2<sup>a</sup>.”  
—(*The Earl Russell*.)

EARL GRANVILLE: With regard to the Bill the second reading of which the noble Earl (Earl Russell) has moved, I understand that he has introduced it more as a symptom of a wish to support the Government, and for the sake of giving himself and the Government an opportunity of speaking on foreign affairs, than from any wish to press it on your Lordships. I think, moreover, that although it is the intention of the Government to deal with the subject-matter of this Bill, it is so worded in many respects that your Lordships would not desire to adopt many of its expressions, and it could not be made applicable to the present Militia, who are recruited under arrangements and conditions differing from those which the noble Earl contemplates. I therefore venture to ask him to withdraw it, and to leave the matter, which is not without importance, in the hands of Her Majesty's Government. With regard to the speech the noble Earl has made, I hope the noble Earl will not think it any want of respect on my part if I do not follow him in the whole of the matters which he has brought before your Lordships. I somewhat regret the want of confidence which he has not stated, but which certainly the tone of his remarks was calculated to convey—as to Her Majesty's Government being aware of the duties which are imposed upon them at this critical period. The noble Earl speaks without any responsibility, ex-

*Earl Russell*

cept that great responsibility which attaches to the personal authority of which he cannot divest himself. I speak without any personal authority; but with the great responsibility imposed on me by the Office I have the honour to fill, and by my duty to the nation whose Foreign Affairs, with the help of my Colleagues, I am intrusted to administer, which require me to speak, even in debate, in a way nearly every word of which must be carefully considered and weighed. Now, I made a statement a week ago as to the policy of Her Majesty's present Government, and I certainly thought at the time that that statement was received with some favour by your Lordships on both sides of the House. I am not aware that any new event has happened since Thursday last; because, although there have been further explanations as to the Draft Treaty, to which my noble Friend has alluded, they do not perhaps materially vary the different and sometimes conflicting impressions which men's minds received from an incident which I agree with him was of a painful character. A Motion has been made in the House of Commons for a copy of the Treaties guaranteed by this country, and out of respect to your Lordships I thought it right that I should to-day lay the Return on your Lordships' Table. I am rather glad that I resolved to do so, for as regards one slight fact my noble Friend might unintentionally have misled some of your Lordships. Not trusting to his admirable historical memory, nor referring to the Treaty itself, he has quoted from a printed statement which is not quite correct. He has quoted entirely from the Treaty of 1831, which does not really exist, for it was cancelled and somewhat modified by the subsequent Treaty of 1839. It is much better, therefore, that your Lordships should judge from the actual document. In saying this, and shrinking from any legal construction of particular clauses of a Treaty, I venture to state most positively that Her Majesty's Government are not unaware of the duty which this country owes to the independence and the neutrality of Belgium. When stating last Thursday the course I proposed to pursue, I stated that I believed your Lordships would agree with me that it was no part of my duty, but was the reverse of my duty, to make superfluous



declarations as to any possible contingency. To that declaration I firmly adhere, for I believe it was a wise one; but that determination does not debar the Government from making even a specific declaration, at the proper time and in the proper season, upon particular and definite contingencies. Much is said about reticence and reserve. Now, I believe none of your Lordships who had any business transacted for you would approve an agent absolutely, without reticence of thought or language, talking to the whole world of a matter which concerned you; and if that is the case in private life, I think it applies still more strongly to those who are charged with the direction of the affairs of great nations in very delicate and difficult times. I can understand the eager curiosity of the public with regard to declarations from Her Majesty's Government at this moment—a curiosity that is rendered the more intense by the approaching termination of the Session, when the Government will no longer have the opportunity of making specific declarations to Parliament. I can conceive those declarations being necessary either in order that the Government may ascertain whether the feeling of the country will support them in any given course, I can also understand it to be necessary in order to enlighten both the Governments and the people of foreign nations. With regard to the first I have no doubt whatever. I am quite sure that if the Government follow judiciously and calmly, but firmly, the course which the honour, the interest, and the obligations of this country dictate, they will receive the full support of your Lordships, of the other House, and of the public at large. But I ask your Lordships to give us some little discretion in point of the manner and the time in which we make such declarations. I think that even before Parliament separates I can promise that your Lordships will be able to judge whether the steps which we took last week were judicious or not, in making, without anything of an offensive or menacing character, an intimation of what we believed to be right perfectly clear to others, and I trust that, whatever may be the opinions of individual Members of this House, your Lordships will not believe that when once we have made a clear intimation of our intentions in any respect, anything will pre-

vent us from adhering scrupulously to the position we have taken.

VISCOUNT STRATFORD DE REDCLIFFE: My Lords, it must be a source of great satisfaction to your Lordships that my noble Friend at the head of our Foreign Affairs, while naturally acting under the reserve which his official position requires, has given us to understand that the Government are fully aware of the duties devolving upon them—that they partake of the feeling which cannot but exist in this country, and that when the time comes they will give evidence of the perfect harmony which exists between their sentiments and intentions, and those for which we give the country credit. I think we are bound to be satisfied with that declaration—especially if, as I understand, we are to have a further communication before the rising of Parliament, which will give the House an opportunity of expressing its feeling still more distinctly and deliberately. At the same time we owe the noble Earl who opened the debate (Earl Russell) thanks for the exposition he has given us of the subject, for the enunciation of sentiments which, coming from him, carry such great authority with them. We may rest satisfied that before Parliament breaks up we shall have a declaration of the intentions of the Government, which, though made under proper reserve, will no doubt satisfy us that while maintaining peace as far as possible, and acting upon the true and sincere principles of neutrality, we are prepared to redeem our pledges and to keep steadfastly before us what the honour of the country requires.

EARL RUSSELL: When I referred to the obligations of the Treaty of 1831, I was quite aware that that Treaty had been modified by the subsequent Treaty of 1839; but I wished to quote the view taken of it by the late Lord Derby in 1867. I think the noble Earl (Earl Granville) has said all that he could be expected to say. He has admitted the obligations of Treaties, and no one would wish him to say how the Government would act in any particular contingency. I never supposed, indeed, that the Government were not fully alive to their responsibilities and duties at this crisis.

After a pause—

EARL RUSSELL called attention to the fact that he had moved the second reading. After the Bill had passed this

stage he should leave it in the hands of the Government; but he thought its principle required to be affirmed.

EARL GRANVILLE: I really do not see the practical advantage of reading a second time a Bill which, in its wording, and even in its enactment, would be inoperative. It would require so much alteration in Committee that I think, on reflection, the noble Earl will think it better to allow the Government to treat the question in their own way.

EARL RUSSELL: I think it is important that the principle of enlarging the power of the Crown in calling out the Militia should be affirmed.

LORD CAIRNS: I hope that on consideration the noble Earl will not press the second reading of the Bill. It might be a matter of little consequence in this House whether a Bill was actually read a second time, with which the noble Earl says he does not mean to persevere further; but out of doors, and out of this country, the second reading of a Bill containing the 5th clause might give rise to very unfortunate results. Of course, in Committee, that clause could be removed; but if it were known that a Bill containing it had been read a second time, it might occasion embarrassment and misrepresentation.

EARL RUSSELL: After what the noble and learned Lord has said, I am quite willing to leave the matter in the hands of the Government, provided they concur in the general objects of the Bill.

Motion (by leave of the House) *withdrawn*.

#### CENSUS BILL—(No. 264.)

(*The Earl of Morley.*)

#### COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 3, inclusive, *agreed to*.

Clause 4 (Householders' schedules to be left at dwelling houses. Occupiers to fill up the schedules and sign and deliver them to the enumerator. Penalty for neglect).

THE EARL OF HARROWBY moved to insert the words "religious profession," with the object of obtaining what was known as a "religious Census." The course that had been taken in the Census of 1851 and 1861 had given rise to much

objection on the part of some religious parties; but since 1860 there had been a change of feeling, as was evidenced by the fact that the representative bodies of Scotch Presbyterians, which formerly objected to a religious Census, had this year memorialized the Government in its favour. That being so, it might be presumed that the Nonconformists of England did not entertain the strong objections they had formerly expressed to the taking of a religious Census; indeed, it was difficult to see what objection they could entertain, and why that which was thought good for Ireland should not be as good for Scotland and for England. A religious Census was taken in almost every country of Europe—the exceptions being Spain, which could hardly be held up as an example in anything, and Holland, whose exceptional example could hardly be considered sufficient to influence us. The taking of a religious Census was approved by a meeting of statisticians from every part of Europe, held at Brussels; and the Statistical Society of this country, in the interests of statistical science, wished to have Returns of industrial employments and religious professions. These Returns were not sought with any religious or political object, but in the interest of the whole community. Wishing their Lordships to confer upon England that which was adopted for Ireland, and which he understood was to be adopted for Scotland, he had given notice of the Amendment he now begged to move—

Amendment *moved*, page 2, line 4, after ("condition") to insert ("religious profession"). — (*The Earl of Harrowby.*)

THE EARL OF MORLEY said, it was not the intention of the Home Secretary to propose the taking of a religious Census for Scotland, because, since the adoption of the memorials referred to, the Home Office had been flooded with others, from United Presbyterians and from members of other Churches, which proved that a large number of Scotchmen were against the taking of such a Census. The Government felt bound to object to this Amendment, on the ground that it would be impossible to obtain accurate Returns; and unless the Returns were really accurate, they would be worse than useless, and would really mislead public opinion. It seemed to be admit-

*Earl Russell*



ted on all hands that a religious Census could not be made compulsory, and that it would be impossible to obtain Returns from the inhabitants of the large towns of this country, for, as many of them did not profess any religion at all, they could not subscribe themselves as belonging to particular Churches. As to there having been no difficulty experienced in Ireland, there was a great distinction between that country and this, because the people of Ireland belonged mainly to three large Churches, and all other denominations were comparatively small. As Ireland was almost wholly agricultural, statistics were much more easily obtained than they could be in large towns of England, where a house-to-house inquiry could hardly be instituted with satisfaction, or elicit the desired facts in a manner that would be generally approved. In addition to the immense difficulty of obtaining accurate Returns on this subject, it would, in the interests of the Church of England, be somewhat dangerous to institute an inquiry of this nature. It would be unwise to encourage among the various sects on one particular day a spirit of what he might term unwholesome competition, putting pressure upon the members of their congregations, and urging them to subscribe themselves as members of a particular denomination. He asked their Lordships, therefore, to consider carefully whether such a Census would not be injurious to the Church as a national institution. These Returns must, for their accuracy and value, depend on the willingness of the people to supply them, and it would be inexpedient to ask for facts which the people were unwilling to furnish. A religious Census was objectionable to large portions of the people; it was impossible to make such a Census without the co-operation of the people, and, therefore, it was important not to make the Census unpopular. On these grounds he hoped their Lordships would not accept the Amendment of the noble Earl.

LORD CAIRNS said, he understood that in the other House an Amendment similar to that of his noble Friend was moved, and no Member of the Government nor any other person offered any answer to the speech of his right hon. Friend (Dr. Ball) who made the proposal. He thought the same course might have been conveniently followed here, for

their Lordships were hardly likely to be convinced by any of the arguments just used by the noble Earl (the Earl of Morley). But the distinction made between this country and Ireland, if applicable at all, was only one of degree. They had been told that a religious Census was possible in Ireland, because there were only three great religious denominations in that country—Roman Catholics, Presbyterians, and Protestants. Now, in the first place, he was rather surprised to hear that Presbyterians were not Protestants; hitherto he had always been under the impression that they were. But, in the next place, Ireland contained every sect and denomination which existed in England, and, if there were any objection on the part of Wesleyans or Nonconformists here, the same objection must apply in Ireland; it was a question of numbers, and not of principle. Nor did he see what greater facility there was for obtaining such statistics because Ireland was chiefly an agricultural country. No doubt, in large towns, there would be a greater number of houses to visit; but then in towns the heads of families must be appealed to just as in the country; and if the house was occupied by a large number of persons, the head of the house would get at their religion just as he got at their age, by obtaining the information from each inmate. It was a gratuitous assertion, then, to say that such a Census would fail. They were, in fact, unwilling to bring the subject under the compulsory clauses of the Bill—it had never been tried, and they did not know that it would fail. The Church of England desired a religious Census; and he remembered that in the other House, in 1860, Mr. Monsell, on the part of the Roman Catholics, said they wished for one. He had never heard any objections raised by Jews or members of the Society of Friends. If the statistics merely referred to members of these denominations it would be a great step in advance, and by a process of exhaustion they would, at any rate, know the maximum number of those who refused to answer as to their religious profession. But then the noble Earl (the Earl of Morley) used a singular argument—that, in the interests of the Church, it would not be well to encourage an unwholesome competition. About what? Were corrupt practices likely to be resorted to in order

to induce persons to register themselves as members of a particular denomination? The noble Earl said that they might find the clergyman or minister urging his flock so to declare themselves. Well, why not? What harm would thereby be done? Such were the arguments by which the opposition to this Amendment were supported! He hoped their Lordships would conclude that it was unworthy of a country like this to be without the information which was possessed by nearly all other civilized nations.

THE BISHOP OF EXETER, in the interests of the Church of England, deprecated the insertion of these words in the clause. He did not sympathize with the Nonconformists in some of the objections they had taken to a religious Census; but looking on the Church of England not as the Church of a sect but as the Church of the nation, he thought it was very much to be deprecated that any opportunity should be taken to mark by any deeper or broader line the divisions which unhappily separated Englishmen on religious questions. It was a very serious evil that when there was a considerable number of our fellow-countrymen who did not wish distinctly to declare themselves either on one side or the other they should be called on to take a side, and by so doing to commit themselves either way. It was much more for the interests of the Church of England that these divisions should be forgotten, where forgetfulness of them was possible; that people should be allowed not to make up their minds definitely whether they would declare themselves on one side or the other; that, if it satisfied their own consciences, they should still be members of the Church of England, though, if asked the question, they might be hardly able to say whether they were or not. It was one of the characteristics of the Church of England that it should be beyond all other denominations the most tolerant body of Christians to be found anywhere. A member of the Church of England was asked no question, as in some denominations, about his religious profession. He joined in the worship of the Church, and no one interfered with his private opinions; there was no such thing as personal examination into a man's thoughts and views. In all things the Church of England showed a spirit of the widest

comprehension. He deprecated very much the adoption of any course which would tend to draw a line of demarcation between the Church of England and the English nation, and he therefore hoped their Lordships would not give their assent to the Amendment.

THE MARQUESS OF SALISBURY said, he wished, in the first place, to correct an error into which the right rev. Prelate (the Bishop of Exeter) had fallen. They did not wish to force the members of these denominations to state what religion they were of, but only to ascertain the number of those who were willing to tell them. He could not in the least assent to the argument by which the right rev. Prelate attempted to enforce his views. They were told the Church of England was not the Church of any particular sect, but the Church of the whole nation—by which they were to understand that the Church of England included every Jew, infidel, or other religionist, who might dwell within the kingdom. He would like to know from the right rev. Prelate how often they were allowed to forget the differences and distinctions of which he spoke? Had they not been made the ground of legislation, taking from the Church of England privileges, property, and rights which she had enjoyed for centuries? And what had been the great battle of this year? Were they allowed to forget these unhappy divisions? Had they not on the contrary, been engaged in the most anxious and careful discussions, in order to discover a form of words that should meet the conscientious scruples of those who did not hesitate to assure them that they represented half the nation, and on that account they had been engaged in legislation which had the effect of depriving the Church of England of her privileges? These matters had become of Parliamentary importance, and were brought forward as grounds of vast and far-reaching changes. But whenever numbers taken by a fallacious means were challenged the Dissenters always shrank from having them put to the test, because they knew that a correct test would abridge their pretensions. When the Nonconformists alone resisted this inquiry they could only come to one conclusion—that they had very good grounds for their conduct. Those who did not desire the truth to be known were generally persons to whom



the truth would be disagreeable. Very respectable ladies would be exceedingly unwilling to inform the world what their ages were; but they did not shrink from pressing them; and if these reverend persons refused, it was because they knew that if the fact were known it would be disadvantageous to them. He believed the case of the Dissenters was very much like ladies of a certain age. He had heard nothing in the speech of the right rev. Prelate to induce him to be less anxious for the passing of this Amendment. On the contrary, he should be desirous to show clearly and before the world who was of the Church of England and who was not, and to give no encouragement to that baneful doctrine of which the right rev. Prelate was so fond—that anybody, no matter what were his errors, if he was geographically situated in England must belong to the Church of England.

THE LORD CHANCELLOR said, he quite concurred with the remarks of the late Sir George Lewis that the subject under discussion was one with respect to which people did not reason—it was with them a matter of feeling; and he did not think the remarks of the noble Marquess (the Marquess of Salisbury) would tend to make it less so, because he held the ascertaining of the numbers of the various religious sects as a sort of battle-flag, to be made a matter of controversy. He did not ascribe the feeling of Dissenters on the point to the vexation which they would experience at finding they were outnumbered, but rather to the objection which many had to registering themselves once for all as not belonging to the Established Church. There were many persons who, though attending the Church of England, would not care to register themselves at all. He might mention that when on one occasion he moved a clause in the House of Commons to exempt from Church rates those who chose to declare themselves as being separated from the Church on conscientious grounds, the late Sir Robert Peel objected to requiring any person to assert that he belonged to a particular faith, and thus, as it were, drawing a line of demarcation between particular sects. It might happen, too, that if a religious Census were called for, the head of a family might feel it to be his duty, when compelled to do so, to register himself as a Dissenter, and his child-

ren would naturally follow his example, although they might previously have attended the services of the Church of England; and there were many members of Dissenting families who at present attend the Church, who, if they were asked, would describe themselves as Wesleyans or Baptists, as the case might be. Many, again, would put themselves down under a class to which they did not really belong. That was a state of things which he thought was very undesirable should come to pass. He was of opinion that it would be impossible to obtain a correct religious Census at present, and he hoped, therefore, their Lordships would not assent to the Amendment, but would wait for the time when feeling on the subject should give way to reason.

LORD CAIRNS pointed out that under the Amendment there would be no compulsion, and that the real question was whether in the schedules left at the different houses, there should or should not be a column headed “Religious Profession.” His noble and learned Friend he might add, seemed to him to be somewhat inconsistent in stating his belief that an accurate religious Census could not be obtained, and yet intimating it to be his opinion that we might have such a Census before long.

On Question?—Their Lordships divided:—Contents 43; Not-Contents 39: Majority 4.

*Amendment agreed to.*

The Report of the Amendment to be received on *Thursday* next.

House adjourned at a quarter past Seven o'clock, to *Thursday* next, a quarter before Five o'clock.

## HOUSE OF COMMONS,

*Tuesday, 2nd August, 1870.*

MINUTES.]—SUPPLY—considered in Committee—  
—SUPPLEMENTARY ARMY ESTIMATES; Vote of £2,000,000: CIVIL SERVICE ESTIMATES.  
WAYS AND MEANS—considered in Committee—  
Consolidated Fund (£24,281,493).  
PUBLIC BILLS—*Second Reading*—Inclosure [206]\* *debate adjourned*; Stamp Duties Management\* [220].

*Committee—Report—Constabulary (Ireland)\** [241]; *Meeting of Parliament\** [247]; *Canada (Guarantee of Loan)\** [225]; *Stamp Duties (re-comm.)\** [209-256]; *Beerhouses\** [248]; *Passengers Act Amendment\** [251].  
*Committee—Report—Considered as amended—Third Reading—Post Office\** [219], and *passed*.  
*Considered as amended—Third Reading—Census (Ireland)\** [237], and *passed*.  
*Third Reading—Census (Scotland)\** [234]; *Siam and Straits Settlements Jurisdiction\** [232]; *Glebe Loans (Ireland)* [222]; *Corrupt Practices Acts Amendment\** [246], and *passed*.  
*Withdrawn—Parishioners' Rights\** [187].

The House met at Two of the clock.

#### JAMAICA—SEIZURE OF THE SCHOONER “LA HAVE.”—QUESTION.

MR. SERJEANT SIMON said, he wished to ask the Under Secretary of State for the Colonies, Whether there will be any objection to lay before the House Copy of the Despatches and Correspondence between the Governor of Jamaica and the Secretary of State for the Colonies, and all other Documents and Papers relating to the seizure of the Schooner “La Have” at Jamaica in the year 1869 by the authority of the said Governor; and, whether it is the intention of Her Majesty’s Government to reimburse the Colony the sum paid on account of such seizure?

MR. MONSELL said, in reply, that it was the intention of the Government to reimburse the Colony of Jamaica the sum paid on account of the seizure of the schooner *La Have* at Jamaica in the year 1869; and, under these circumstances, his hon. and learned Friend would probably agree with him that it would not be necessary to put the country to the expense of printing the correspondence.

#### FRANCE AND PRUSSIA—ALLEGED DRAFT TREATY.—QUESTION.

MR. VERNON HARCOURT said, he would beg to ask the First Lord of the Treasury, Whether, having regard to the recent revelations which have taken place as to the secret negotiations of France and Prussia, Her Majesty’s Government will not now feel at liberty to make public the negotiations which were instituted by the late Earl of Clarendon with a view to induce those Powers to consent to a mutual disarmament, in order that the grounds on which that proposal was rejected may be made known; and, referring to the statement

contained in the Despatch of Lord Granville (Correspondence No. 114), that on July 13 Baron Brunnow expressed his anxiety to preserve European peace, and suggested to the Secretary of State for Foreign Affairs that a Protocol should be drawn up by the Great Powers recognising the renunciation by the Prince of Hohenzollern of the Crown of Spain as a sufficient and satisfactory settlement of the differences between France and Prussia, to ask why the proposal to draw up such a Protocol was not carried into effect, by which means the collective judgment of Europe as to the insufficiency of the causes alleged for the present War might have been publicly declared, and brought to bear upon the belligerents before hostilities were finally resolved upon? He wished also to add a few words to the last Question, Whether any attempt has been made to procure a combined remonstrance, on the part of the Powers of Europe, in behalf of the civilized world against this unnecessary war?

MR. GLADSTONE: Sir, the Questions of my hon. and learned Friend are of importance, and I will endeavour to give him the best answer I can. I should have done it with more fulness if the Questions had been asked in the course of debate. With regard to the first Question, my hon. and learned Friend asks whether, having regard to the recent revelations which have been made as to the secret negotiations of France and Prussia, Her Majesty’s Government will now feel at liberty to make public the negotiations which were instituted by the late Earl of Clarendon with a view to induce those powers to consent to a mutual disarmament. We do not depart from the ground we have already taken. My hon. and learned Friend should understand that the term “negotiations” is hardly applicable to this case. Communications they were; “negotiations” they can hardly be said to have been. Lord Clarendon, in his individual capacity, was the medium of these communications, and in some sense the author of these communications; and any papers relating to them, except incidental notices in his letters to me, or my letters to him, are positively his own private papers in the possession of his representatives. I do not think that itself would be a sufficient cause for our declining to state the whole circumstances



of the case if we had thought it would be expedient; but, in our view of the case, it is not expedient. Acting as between both sides, Lord Clarendon was not a principal, but an agent; and it is the two principals in whose undoubted competency it lies to tell their own story if they think fit. The objection we entertain is not only an objection of form; we feel that detailing the facts to the world would inevitably assume the aspect of partiality towards one party or the other, which we are above all things anxious to avoid. There is no practical difficulty; it is perfectly open to either or both to tell everything that passed. They both know well we do not claim silence. There is nothing to restrain their free action in the case. The second Question will require me to refer to the correspondence which has been laid on the Table. I must regret that that admirable and valuable invention of the telegraph, important and beneficial as it is in many respects, is certainly attended with this unfortunate result—that it is a matter of excessive difficulty, and almost impossible for those taking interest in these proceedings, to follow with precision in the order of time the transactions recorded in this correspondence. I will endeavour to state the case as clearly as I can. My hon. and learned Friend refers to the statement of Lord Granville, No. 114 of the Correspondence, that, on the 13th of July, Baron Brunnow expressed his anxiety to preserve European peace, and suggested to the Secretary of State for Foreign Affairs that a Protocol should be drawn up by the great Powers, recognizing the renunciation by the Prince of Hohenzollern of the Crown of Spain as a sufficient and satisfactory settlement of the differences between France and Prussia, and asks why the proposal to draw up such a Protocol was not carried into effect, by which means the collective judgment of Europe as to insufficiency of the causes alleged for the present war might have been publicly declared and brought to bear upon the belligerents before hostilities were finally resolved upon. Now, Sir, my hon. Friend will find, upon reference to the Papers, these things—In the first place, the suggestion made by Baron Brunnow was not an authoritative communication made by him on the part of the Russian Government, committing the Russian Government to

any proceeding whatever. It was a mere friendly suggestion from himself, conceived, no doubt, with the best intentions, but suggesting to us—putting on us the responsibility of taking the initiative, and laying on us a particular form in which that initiative might be taken. It was, therefore, a matter in which we should not consider Russia as prepared to be a party alone or with us if we undertook the action, but one method of acting which it was our duty to compare with others having a similar object in view. It was not until the 18th of July, when it was past all question of intercepting the mischief, that the suggestion was received in an official shape. The suggestion was received in the Foreign Office on the 14th of July. In the afternoon the British Government had no reason whatever—I think I am accurate in saying this—no reason whatever to think that the renunciation of Prince Leopold's candidature would not terminate this painful controversy. It was at three o'clock on that day, as my hon. and learned Friend will see from Lord Lyons' letter on the 13th of July, that a telegram was sent off by Lord Lyons to the effect that the Duc de Gramont had stated in the Legislature that negotiations with Prussia were not concluded; and, therefore, he was not in a position to make any statement to the House. It was these momentous words of the Duc de Gramont which first plainly conveyed to us that the peace of Europe was endangered. But we were not in possession of these words when Baron Brunnow called on Lord Granville and made the suggestion on his own personal responsibility. It was some time in the course of the 13th of July; I will assume that it was some time on that evening that the intelligence, though not the precise character of the words, reached us. When we did find ourselves in possession of the words, and did see that danger was existing, we had to consider for ourselves what was the best thing to be done; and we decided that it would have been a very doubtful measure indeed to have acted upon the suggestion of Baron Brunnow, because the communications that would have been required with the various Powers of Europe, and the necessity for their communicating one with another, and the questions that might arise with regard to the wording of such a proposal, impedi-

ments of form and time, even supposing that no substantial impediment had arisen, would have rendered the use of this instrument much too tardy to be applied to the conjuncture before us. And, therefore, we thought it best—having been invited on the part of France to interpose, and our friendly offices not having been in the slightest degree repelled by Prussia—to send the suggestion, which is detailed in the Papers, with a view to the preservation of the peace of Europe—namely, to induce France not to insist on the statement which she had demanded from Prussia, and to induce Prussia to consent to what was actually done—namely, to make known the part which the King had taken in withdrawing his consent from the candidature of Prince Leopold. My hon. and learned Friend adds to this question this—whether any remonstrances have been addressed to each country—he did not say by one Power more than another—[Mr. VERNON HARCOURT: I said a combined remonstrance on the part of the Powers of Europe.]—whether any combined remonstrance has been addressed to both these parties upon their conduct in making a war for which there are no justifiable causes. No; the two Powers have been left, as far as it is a matter of interest to them, to collect the judgment of the several countries upon the causes or pleas for the war from the communications that have been made. As far as regards the British Government, from the Papers that have been laid on the Tables of Parliament, I think that their opinion upon most of the points that have arisen has been expressed with sufficient clearness, and I am afraid that a combined remonstrance addressed to the two Powers already unhappily engaged in hostilities would have little effect except to produce exasperation. And, with great respect for the opinion of my hon. and learned Friend, I think that probably the wiser proceeding is that we should watch the course of events, and avail ourselves—as we should assiduously avail ourselves—of any fitting opportunity for acting in those interests of peace which both my hon. and learned Friend and the Government have at heart.

*Mr. Gladstone*

## TREATIES AS TO BELGIUM.

### QUESTION.

Mr. SOMERSET BEAUMONT said, he wished to ask the Under Secretary of State for Foreign Affairs, To lay upon the Table of the House the Treaties of 1831 and 1839 guaranteeing neutrality of Belgium?

Mr. OTWAY: Sir, there is no objection to reprint these Treaties, and I should propose to add also the Treaty guaranteeing the neutrality of Luxemburg. But I must ask my hon. Friend to take steps to insure these Treaties being printed by the House of Commons; otherwise if they are printed by the Foreign Office we shall be unable to produce them in time.

### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## GREECE—MURDER OF BRITISH SUBJECTS BY BRIGANDS.

### OBSERVATIONS.

SIR HENRY LYTTON BULWER said: I have always considered this case to be one between the Government of Greece and ourselves, on account of very peculiar circumstances which rendered that Government responsible to our own. For this reason, fully acknowledging the excellent intentions and abilities of Mr. Erskine, acknowledging also that, under the painful circumstances under which he was placed, it was almost impossible to preserve a calm and steady judgment, I have always regretted that his honourable and confiding nature allowed him to be drawn into those conversations and consultations from which the Greek Government now tries unhandsomely to draw arguments for their defence; and that he did not simply say to M. Zaimis and his colleagues—"I hold you answerable for the lives and liberty of the British subjects who have been made prisoners. They were captured through your negligence. I know they can be delivered by means at your disposal. I do not wish to ask or name the course you will pursue; but I merely tell you that if they suffer injury you shall not escape unpunished." Had such language been



held, our position would have been clear ; and I am one of those who are not over scrupulous in making use of power when it is to serve the ends of justice. This course was not pursued ; but I still adhere to the principles which would have made me adopt it. If we have any case against Greece, it is against the Government of Greece ; and what I wish to know from Her Majesty's Government is, whether it considers that Government without reproach, or whether, if it thinks it gravely culpable, it is prepared to demand from it any specific reparation ? For my own part, my opinion was formed on the first Papers that were submitted to this House. Since that time an inquiry has been going on. From that inquiry we have learned all the horrid particulars of our countrymen's massacre, all the disgusting details of the execution of three or four of the poorer and inferior bandits, and the escape of their chief, who, it would appear, had found security in the wealth which in the course of his profession he had accumulated. We have not been able to ascertain who were the mysterious strangers who visited the robbers' haunts, nor does it appear to me that we should have gained much if we had done so. In short, Sir, whilst speaking of the inquiry with considerable hesitation, because it was instituted by a statesman whose every sentence spoken or written on this subject was marked by that dignity of mind and that kindness of heart which gave such grace to his ability—whilst saying that, if my opinion differs from his, I should be disposed to consider my opinion erroneous—I am bound to add, reserving my ultimate opinion until its close, that this inquiry, as far as it has gone, has rather tended to attract our attention to questions which more immediately concern the Greek Government and its subjects, and to withdraw it from those which more immediately concern that Government and our own. And this brings me to the case of Colonel Théagénis, whom my hon. Friend the Member for the Isle of Wight accused me the other evening of treating harshly and unjustly. Now, Sir, it would appear that Colonel Théagénis has a property at Thebes, that he is the father of an amiable family, and that he distinguished himself in the War of Independence. All this may be ; I know no-

thing about it, nor about Colonel Théagénis, except that his name is affixed to certain documents which have been submitted to me as a Member of Parliament for the purpose of forming an opinion upon them. Well, the part which we were given to understand that Colonel Théagénis was to play was that of the saviour of the captives. It was supposed that he was given a mission for that purpose ; and what I have said and repeat is, that according to his own despatches—for I only judge of his conduct by these—he deliberately pursued a course which was necessarily as fatal to Mr. Herbert, Mr. Lloyd, and Mr. Vyner as if he had shot those gentlemen dead with his own hand. And here I will read two short extracts from the Papers laid before Parliament, which, in my opinion, fully bear out this assertion. The first, which I have once before alluded to, is this—

“ It appears that their plan (that of the brigands) is to advance towards Boeotia, and an attack directed against them cannot but expose the lives of the prisoners to inevitable danger. To-morrow I communicate to Captains Apostolidis and Liacopoulo the determination of the Government to prevent by force their advance into Boeotia.”

In other words, I am going to order the lives of the prisoners to be put into inevitable peril. Can anything be stronger than this ? Yes ; what I am now going to read is stronger. The Colonel is describing the measures he had taken to surround the bandits, and he gives his motives—

“ To be able effectually to surround Oropos we needed the co-operation of all the troops, so as to surround the village and make every attempt of the brigands to escape vain, after having, according to their custom, killed their prisoners.”

Thus not only did Colonel Théagénis order an attack when he had failed in surrounding the brigands, which was certain to end in the murder of the gentlemen in their power, even at the time he contemplated surrounding the brigands he foresaw that this would end in putting our countrymen to death, and all that he aimed at was securing the assassins after the murder was completed. These remarks force me to notice a Paper which appears amongst those recently presented to us. General Church's name is, in a certain sense, historical ; and it gives me pain to see him emerge from a retirement, which his services render honourable, by so ill-advised a letter

as that which he addressed to you, Sir [addressing Mr. Gladstone], and which you have placed before us. Here is a gentleman who was not a witness of the scene which he undertakes to describe, and who thinks he is to impose his statement on you because he is General Church, and who thinks that you can impose it on us because you are Prime Minister. The General is an Englishman, but it is evident that he has lived long out of England; and that he does not know what an English Minister is, nor, whoever may be Minister, let me add, what an English House of Commons is. But what is his story? Why, that the soldiers of Colonel Théagénis pursued the wolves of brigands with the placid philosophy of lambs; that, now and then, they fired a shot, but that was merely in the air; and that until Mr. Herbert was slain they were in the most perfect good humour. Now, Sir, this story differs from almost all the testimony we have. But supposing it was correct? These gentle soldiers did not follow the brigands for the purpose of giving them backsheesh. They followed them with the intention of capturing and then executing them; and it was quite certain—and Colonel Théagénis must have known it was quite certain—that, under such circumstances, these brigands would murder their prisoners and attempt to escape themselves. Thus, Sir, I cannot think that any doubt can exist as to the conduct of Colonel Théagénis, or as to its consequences; but, in saying this, I am not saying anything personal against Colonel Théagénis. He was a soldier, and bound to obey instructions. Count Ségur, I think, relates that the First Napoleon, just previous to delivering the battle which gave him possession of the southern capital of Russia, observed that he should lose 20,000 men, but enter Moscow on the following day. Colonel Théagénis, with the same military sublimity, may have said—"I shall sacrifice the lives of these unfortunate foreigners, but I shall fulfil my instructions." And here is the important point to know, whether Colonel Théagénis did act according to instructions or not? That is the question above all others which I wish to put to Her Majesty's Government. Now, Sir, when I last addressed the House on this subject I made some observations on the general state of Greece. I do not do so now,

because any measures we might take in that respect must be taken in conjunction with our allies, and this is not the moment when we can address ourselves to them. But I will just notice an observation made on that evening by my right hon. Friend in answer to my remarks, in which he seemed generally to agree, but observed, nevertheless, that he hoped that order and good government might be established in Greece without any injury to those doctrines of constitutional government so popular in this country. I hope so too; but I would just wish to observe that the doctrines of constitutional government popular in this country are not those popular in Greece; and that, if the facts were reversed, and that we had the happiness of being under the protection of Greece instead of the misfortune of having Greece under ours, she would soon put our constitutional doctrines into her pocket. The notion which a Greek politician at present entertains of a good Government is a Government that offers him a good place. The Greeks have great abilities, but they have a Government which renders those abilities sterile. In any other country we should have no right to interfere with its Government. But Greece owes its existence to its guardians; it is they who protect its existence now; and I think they might exact, as a return for their protection, such a Government as would not render their protectorate profitless to the nation they protect, and discreditable to themselves as protectors. This is a subject which my love for the Greek people will one day induce me again to bring forward; but at present I merely ask for those explanations I have pointed out, and of my request for which I have given notice.

MR. BAILLIE COCHRANE said, he would follow the example of his right hon. Friend in being brief in his observations, knowing the value of the time of the Government at that period of the Session. But as he was not a Member of the House when the late Greek debate occurred, and as he had always taken a great interest in Greece and had charge of its interests for some years, he hoped he might be allowed to make a few remarks on that most painful and distressing question. He thought his right hon. Friend was quite right in bringing it forward, because they were

*Sir Henry Lytton Bulwer*



entitled to ask Her Majesty's Government what satisfaction they had demanded, or would demand, from the Greek Government. He also believed it would be grateful to the feelings of the surviving relatives of those unfortunate men to know that because greater or more important events might have since happened their sad fate was not a kind of 'nine days' wonder, but still claimed and received the deep sympathy of the House of Commons. Now that the cry, the righteous cry, for punishment or vengeance that at first arose from the length and breadth of the land had subsided they could approach that question in a more moderate and, he would add, a more just frame of mind, without bringing a bill of indictment against a whole nation. There were passages in the speech to which they had just listened which had deeply grieved him; for he had thought his right hon. Friend would have taken that opportunity of retracting some of the observations he made in a former speech, which inflicted the greatest pain on honourable men. But, instead of retracting, his right hon. Friend had renewed his attacks on Colonel Théagénis, although certainly he had not that day applied the term "assassin" to him as he did in a previous debate. Still he had attacked Colonel Théagénis most cruelly, and also attacked another man, General Sir Richard Church, whose name was dear both to England and to Greece. General Church, who was about 90 years of age, had fought in the war of Greek independence, assisting Lord Cochrane, Lord Byron, and other distinguished Englishmen who took part in that enterprize, and there was no more gallant and no more honourable man than General Church, as he believed the Prime Minister could testify. [Mr. GLADSTONE: Hear, hear.] Yet his right hon. Friend (Sir Henry Lytton Bulwer) had attacked that gallant gentleman, and implied that he was a mere partizan of his aide-de-camp, Colonel Théagénis. That being the first part of his right hon. Friend's case, he must take his stand on the character of Colonel Théagénis. Who was that officer, what was his responsibility, and how did he act under it? And, in claiming justice for Colonel Théagénis, let it not be supposed that he did not feel as acutely as any man the sad loss sustained by this country in

the massacre of these captives, although he did not think Englishmen should allow themselves to be led away by their laudable feelings into being guilty of absolute injustice. Under what circumstances was Colonel Théagénis appointed to that painful mission? In his first letter—dated April 21—to Lord Clarendon, Mr. Erskine said—

"I persuaded M. Zaimis—the Greek Prime Minister—to send off Colonel Théagénis, the aide-de-camp of General Church, a gentleman of high character, who is intimately acquainted with the country and with the peculiarities of the people with whom he will have to deal."

It was Mr. Erskine who invited Colonel Théagénis to go there; and Mr. Erskine said in the same letter—

"Before starting, Colonel Théagénis received his instructions from the whole Cabinet in my presence."

Was an officer to obey his instructions or not, or to follow his own private opinion as to what he ought to do when he got to a particular place? His instructions were thus described by Mr. Erskine—

"In addition to his letter of credence and the verbal directions I have already mentioned, Colonel Théagénis is to be guided by an instruction, of which I enclose a translation, and which authorizes him to warn the brigands that they will not be allowed to carry off the prisoners from Oropos. A reasonable time will be given for negotiation, but they will be told very positively that the impunity they have hitherto enjoyed must not be considered as indefinite; and M. della Minerva and I did not think that we should be justified in requiring the Government to persist in the conciliatory course they have hitherto pursued after it had proved abortive. The weather is so unfavourable that I fear the captives would be exposed to such severe privations while being dragged about the country day and night in wet clothes that we were reluctantly compelled to admit that a firmer tone must now be taken with these miscreants."

In their instructions to Colonel Théagénis the Greek Government directed him to go to Oropos and give to the Arvanitei these assurances and explanations—firstly, that the ransom was held at their disposal, and that they might leave Greece either by land or on board an English man-of-war; secondly, that it was impossible to grant them an amnesty; thirdly, that unless they took care that not the least harm befell any of the prisoners the Government would treat them with the utmost rigour of the law; and, fourthly, that they must not on any pretence go away from Oropos, and if they did so the Government would hold itself relieved from the promise

made to the foreign Ministers to suspend all pursuit of the Arvanitei. In a subsequent despatch, which arrived too late, Colonel Théagénis was directed by his Government to concentrate certain detachments at Sykamino, to invest the village, and prevent any of the brigands from escaping from it, and if they should try to escape he was to attack them. With such distinct instructions as these was Colonel Théagénis to say—"If I attack the brigands should they attempt to escape I shall risk the lives of the prisoners, and, perhaps, a great diplomatic difficulty may arise?" He did what any British officer would have done—he obeyed the instructions given to him. Was it fair, then, to say he had been, in fact, the assassin of the prisoners? And if Colonel Théagénis was cleared General Church certainly was so. Colonel Théagénis imperilled his life by offering to go as a hostage among the brigands, and the result had been that an amount of abuse had been heaped on his head which he felt as the grossest injustice. The Greek Government had been much blamed, with strange inconsistency, for not granting an amnesty to the brigands. No doubt, at times, the acts of brigands might have been connived at; but that was a very different matter from a distinct amnesty granted and signed by the King. It was one thing to feel sorrow for the loss of these invaluable young lives; but it was another thing to consider the political aspect of the question. If an amnesty had been granted to the brigands, and for others in prison, how could people afterwards complain should brigandage prevail all over Greece. Would they, in the case of any great Power, ask the Government to amnesty such men? It seemed to him that the calmer sense of the country would conclude that, under a natural feeling of indignation at the horrors which had occurred, too much had been asked of Greece. Mr. Erskine, than whom no man could have acted better, had since the catastrophe borne testimony to the conduct of Colonel Théagénis. With regard to the conduct of the King, every gentleman who spoke during the late debate did justice to it, and Mr. Erskine, on April 14, wrote—

"I cannot as yet say very positively by whom the ransom will eventually have to be paid; but I have had the honour of an interview with His Hellenic Majesty, at which he said that he had

*Mr. Baillie Cochrane*

desired M. Zaimis to take any sum that might be necessary, from the bank or elsewhere, to pay the ransom. His Majesty even showed the most eager wish to go and place himself in the hands of the brigands, rather than that any of their prisoners should suffer harm."

It appeared that the Greek Government did all they could for the protection of the prisoners, and he agreed with his right hon. Friend that the attack of the troops led to the sacrifice of the valuable lives they now had to deplore. He quite agreed with his right hon. Friend that the adoption of that active measure was a false step; but, nevertheless, a bill of indictment ought not on that account to be presented against the whole country. He was glad that the matter had been brought before the House, and he believed that it would now be viewed in a calmer and more generous spirit by the people of England. It was not proper language to apply to Greece, which had fought so gallantly for liberty, to call it a nation of brigands. For 40 years, since so much money and blood were lavished for the purpose of establishing the independence of that country, it had been the chess-board of modern diplomacy; English, French, and Russian influences having been fighting together there. But the people themselves were a generous, hardworking, and patient people. [Mr. GLADSTONE: Hear, hear!] The revenue had risen from £150,000 to £1,000,000, and schools had increased from 100 to 1,500. The people of the country had improved, and all they now wanted were the blessings of a good Government. How were they to obtain it? No one took a deeper interest in the country than the right hon. Gentleman (Mr. Gladstone), and he would earnestly direct his attention to the fact that morally and financially we had a right to interfere, and in his (Mr. B. Cochrane's) opinion the wisest course would be to send out Commissioners to superintend the financial arrangements of the country, and to see that all the money raised by taxes was devoted to the improvement of the country. In making these observations, he wished to guard himself from being supposed for a moment not to sympathize with all his heart and soul with those who had been so unhappy as to lose their relatives by the hands of the brigands. In conclusion, he would ask the House and the country to approach this case in the same generous and magnanimous spirit



displayed by the captives in their last moments, who, if they could speak now, would proclaim that their noblest memorial would be the regeneration of the country where they suffered.

SIR HENRY LYTTON BULWER said, that one part of his observations had been grossly misrepresented by the hon. Gentleman. He had never made any personal attack on Colonel Théagénis. The attack he made upon that officer was as the agent of the Greek Government, and what he had desired to ascertain was whether Colonel Théagénis was acting on his own account, or, as he still believed, upon the instructions of the Greek Government. Neither had he meant to attack General Church; but he merely replied to a very unqualified attack which General Church had directed against those who took the part of persons whom they believed to have been injured. So far from speaking with severity of General Church, all he said of him was complimentary.

MR. BAILLIE COCHRANE apologized for having misunderstood his right hon. Friend's observations.

MR. GLADSTONE: With respect to the three individuals whose names have been mentioned, and with regard to whom I was questioned whether they had been censured or not, without entering into the controversy, I feel it to be an absolute duty to refer to each of them. With respect to Mr. Erskine, although I think my hon. Friend opposite (Mr. Baillie Cochrane) is perfectly justified in coming to the conclusion, aided by his great experience, that anyone acting in this most difficult matter would be liable to counsel what might turn out to be a false step—and the course taken had certainly an unfortunate result—yet, I must say that Mr. Erskine has done nothing to discredit the name of the country or his own high character—nothing that could possibly expose him to censure, or to any diminution of the confidence reposed in him. With respect to General Church, he is a man who, after 70 years of active service, requires no vindication from any person in this House; and if he has been led to use strong language in the letter which has been printed in these Papers, I beseech my right hon. Friend (Sir Henry Lytton Bulwer) to reflect that he has made no apparent personal application, and that he has used it when his feelings were

deeply wounded on account of imputations which were cast by many on the character of one of his friends and associates, who was combined with him in the same honourable profession, and who had been associated with him in military efforts and distinction; and to whom, after a score of years of intimate association, he found himself bound to bear testimony. As to Colonel Théagénis, much animosity was excited in this country against that gentleman. It arose from the universal feeling of sorrow and indignation to which those horrible murders gave rise; yet the evidence shows incontestably that he was most faithful in carrying out the instructions he received; and though that circumstance would not acquit the Government who gave those instructions if they ought not to have been given, the character of Colonel Théagénis for integrity and honour stands beyond imputation, and will bear comparison with the character of any Gentleman within these walls. Nor do I rely wholly upon the testimony of General Church, which I think quite sufficient. Another person, a surviving member of the family of Sir Thomas Wyse, who had the most ample means of personal acquaintance with Colonel Théagénis, has rendered to me her testimony also of the fact that he is an honourable man among honourable men, one of a singularly susceptible spirit of honour, and of the highest sense of duty, and of whom it might be taken for granted that any commission entrusted to him would be executed with the most scrupulous fidelity. As regards the question itself, I now come to the points which have been put by my right hon. Friend, who says, not unfairly—if you think the Greek Government blameless in these transactions, declare it; and, if not, what satisfaction are you about to obtain? I am sorry to say that we are not prepared to give an opinion that the Greek Government is innocent of these transactions. There are those holding high Office in Greece who certainly have, according to the best of our knowledge, lent the most energetic assistance in the investigations which have been going on. But with regard to the Greek Government as a whole, it is impossible to pronounce any general sentence of that kind until we have come to a termination of our inquiries. As regards the non-conclusion of the inquiry, that circum-

stance may of itself suggest suspicion; but it is fair to say that it is owing to our agency and intervention that the inquiry has not yet been concluded. The truth is, that the various stages of it which have been gone through, have tended to open up more and more of what is painful and what is shameful in the present condition of Greece. I join my hon. Friend opposite (Mr. Baillie Cochrane) in the character he has given of the Greek people generally. I think there has been great precipitancy on the part of many persons in charging to the nation that which is due to a comparatively few. My hon. Friend says, borrowing the language of Mr. Burke, that he will not frame a bill of indictment against the nation, and I join with him in that view; but as regards the operation of those views, I am bound to make these two confessions.—In the first place, the prevalence of brigandage in Greece, at the epoch at which we recently arrived, was lamentable and disgraceful. It was not due, however, to the general disposition of the people, who—I agree with my hon. Friend—I think are simple, frugal, patient, and industrious, and gifted with a singularly laudable desire for self-improvement. But we cannot refuse to recognize that this prevalence of brigandage has been connected with the events which took place in Candia. The war in Candia was largely participated in by wild spirits, and that war ended in the wholesale expatriation of so many of those spirits as belonged to the kingdom of Greece, who carried back into their own country—where but too much temptation prevailed for pursuing lawless habits of existence—that recklessness which they had learned during the war. But that is not all. Undoubtedly there are secret threads and ramifications connecting these lawless men with others in higher stations and more responsible positions. The careful and patient following out of all the secret paths of intrigue and clandestine communication, by which these facts are to be established, has been a task of no common difficulty. Hence it is that the inquiry has occupied so much time. It may have seemed to some in this country who were not aware of the difficulty, that it has occupied too much time; but it is absolutely necessary to proceed to the end with the same fidelity if we would accomplish the ob-

*Mr. Gladstone*

ject we have in view. The change of Ministry which has taken place in Greece has not been an event, I am sorry to say, favourable to the fulfilment of our wishes. At the time that change occurred we thought it our duty carefully to avoid the appearance of dictation with respect to the choice of individuals; but we as clearly intimated that, whatever Government might come into Office, from that Government we should expect the fullest discharge of the obligations which the Greek Government made to us with respect to these deplorable transactions. Since that time, and since the last Papers were laid upon the Table of the House, I regret to say the Government has made an objection to the continued presence of English agents at the inquiries which have been conducted in Greece; and, in fact, if I understood the communication aright, for the moment that presence was forbidden. I need not say that we have declined to acquiesce in that prohibition. We have protested against it in the strongest terms; and, come what may, I can assure the House we will not forget what is due to the feelings and the rights of this country. I hope I may say that it cannot for a moment be supposed that Government are indifferent upon this question. No one with feelings of common humanity could be indifferent on such a subject, even if there were no more than the circumstances of the assassination itself; but the characters of the victims in this deplorable tragedy, as indicated by documents known to the whole world, were such as to raise the sympathy entertained for them to the highest point of which the human breast is capable. And if anything could have been wanting to have enlisted the good feelings of the Government in particular in the prosecution of their task, it was the fact that one, and perhaps the one who, for all the touching and beautiful manifestations of character, would have been selected even from the rest, was the near relation of one of our most attached and valued Colleagues. Therefore, I assure my right hon. Friend that whatever has happened elsewhere in Europe, whatever shocks there may be on the Continent, and however it may shake under those shocks, we shall not consider that events happening nearer home should in the slightest degree affect our obligations with respect to Greece. Those events



may interpose or may not interpose temporary difficulties. It may be difficult to draw the attention of one or both of the co-guaranteeing Powers to Greece in the same manner that we could undoubtedly have done at a period of less absorbing interest for a French Administration; but I am quite certain that even France herself will continue to feel the most friendly interest in the work which we have in hand. Upon the whole, though I cannot say that the general aspect of affairs in respect of Greece wears an improved appearance in our eyes; though, on the contrary, the magnitude of the task to be performed in the extirpation of brigandage rather grows upon us than otherwise, yet there is not the slightest reason to pretend that there will be any diminution of energy and earnestness in the attempt to obtain that great object. My right hon. Friend asks me what satisfaction we intend to ask from the Greek Government? My right hon. Friend knows that, as regards one of the principal sufferers by the outrages which have been committed—I refer to Mrs. Lloyd—it will be our duty to obtain for her a pecuniary satisfaction from the Greek Government. Those who know the duties which have to be performed by a Foreign Minister, and the capacity of Lord Clarendon for the performance of those duties, will readily understand how much we have felt his loss in connection with this Greek affair as well as in that of many other matters. His death has caused some delay in respect of this claim for compensation; but it is one which is being followed up by the Foreign Office. As regards satisfaction in any other and wider sense, no doubt our first duty is to endeavour to determine exactly the degree of responsibility which is to be charged upon the Greek Government in power at the time of these outrages. With respect to the failure of the measures for preventing them, one thing I would say to my right hon. Friend, and it is this—I am not going at all to pronounce an opinion that the measures taken were wise measures; but I think it would be a fallacy at once to assume that satisfactory results would have been obtained by a prolongation of what I may call the inactive policy, by recognizing a title on the part of these brigands, who were evidently men of a depraved order of

mind and character, to take their prisoners wherever they pleased, to drag them about over the country under the pretext of fears for their own safety, to subject them to all the hardships of exposure, to a diet that was irregular and totally unsuited to their wants, and any other vicissitudes they might have to encounter; and, perhaps, to inflict upon them in the end a death far more painful through a prolonged suffering than that which unhappily they had to meet. It is but fair to recollect on the part of Mr. Erskine that he had all these dangers to take into his view, and that the question between the methods of procedure which might have been adopted, was not so entirely a one-sided question as now, after the catastrophe, we may be only too apt to assume. Passing on from that question of the responsibility of the Greek Government, I ask my right hon. Friend what satisfaction are we to obtain? If satisfaction were to be sought in this case, as it was sought in the case of Abyssinia—if all we had to say was to tell the Government that, having sacrificed the lives of our countrymen, they should now feel the weight of our vengeance, there would be no difficulty in crushing that feeble plant which, with so much trouble, we have reared. I am sure that my right hon. Friend would not desire that description of satisfaction. In crushing them, we should but damage ourselves—damage our own fame and credit, which are much involved in the past transactions, and which will be involved both in present and future transactions with respect to Greece, and which, I am bound to say, likewise would strike a blow at the hopes of mankind. The best satisfaction we can obtain would be good government in Greece—the establishment of peace, order, regular institutions, regular habits, good laws, and the faithful execution of them. But that task is a difficult one. I am by no means as yet prepared to admit that it is not to the popular part of the institutions of Greece, and to the influence of the people upon the Government, that we are to look for the achievement of these objects. There are, as I know, some in this country, and an abundance of people out of it, that are perfectly ready to jump to that conclusion—who think that if you will only establish a despotic Government in Greece, you will have everything that could be

desired. I do not as yet see that there is proof of that opinion. This monster evil of brigandage is an evil which has recurred from time to time, and commonly in connection with special circumstances. Brigandage has not always prevailed in Greece to this distressing extent since the time when popular institutions have existed there. It may ultimately prove to be our duty to recommend or concur in changes to be made in Greece; but we ought not, except on proof—we ought not on any vague surmise, to admit or believe that it is to the influence of the people, whom my hon. Friend opposite described as in the main a good people, that the existence of these horrors is to be ascribed. It is in the upper, and not in the lower, classes that the seat of the principal vice is to be found. It is the want of a properly constituted upper class that forms the greatest calamity and the greatest defect of Greece; and the cause of that want is to be found not in the circumstances of the moment, but in its history through many long centuries past; in its history probably even before the period of the Ottoman dominion; and in its history during that dominion, which, reducing the people to the dead level of servitude, ill, indeed, prepared it for the state of political freedom which it has now got. Some of our duties in respect to Greece are perfectly clear. One is to enforce upon that country a clearer observance of international obligations. Greece ought to expect no encouragement, no indulgence, and no toleration from the other European Powers if, while unable to fulfil her own duties within her own borders, she makes herself an apostle of political propagandism. That is a duty perfectly clear, and from the execution of that duty we shall not, under any circumstances, shrink. With regard to the rest, it will be incumbent upon us to endeavour, in every way in our power, to substitute a system of peace, order, industry, and security for life and property, both for the people themselves and for the strangers in the country, for that deplorable condition of affairs which has of late prevailed. Beyond that, I am afraid it is not possible for me to go. Details it is not in my power to communicate. My right hon. Friend will recollect the position of embarrassment, at least the position of delicacy, in which we are placed by the

necessity of combined action with other Powers entitled to regard these matters from their own point of view. I have given him assurances in terms which, though general, are such as are in harmony with the purposes to which we conceive ourselves to be bound by duty, and I can assure him that we shall not desist nor slacken our efforts until that purpose is carried out.

MR. STEPHEN CAVE said, before the debate closed he should like to say a few words on the general question, as he knew something of Greece, and should be sorry if, in consequence of the righteous indignation which this abominable crime had aroused, we should commit the injustice of confounding the innocent with the guilty. That brigandage received toleration and even encouragement from persons of political eminence in Athens, either those who are, or those who hoped to be, members of the Government, no one who knew anything of Greece would for a moment doubt. Among the various modes of evincing and exciting discontent against the ruling powers, those of Turkey and Greece were not a little remarkable. In Constantinople a quarter of the town was set on fire, as a hint to the Sultan that his subjects had a grievance. In Greece an act of brigandage more flagrant than usual, which might involve the country in expense and in disputes with foreign Powers, was committed in order to bring about a change of Government. It was said even that more sordid motives were not wanting, and that the ransom of captives did not pass into the hands of a brigand chief without certain deductions. All this had long been matter of notoriety. Hon. Members might recollect that during the Crimean War France and England had each a regiment in the Piræus, for the purpose of checking the Russian proclivities of the Queen and the natural anti-Turkish feeling of the Greeks. While he was in Athens, in 1855, soon after the fall of Sebastopol, a French officer was carried off in full uniform, in open day, between Athens and the Piræus, which was something like kidnapping a man between London and Greenwich. At that time Attica and the Morea were considered safe for ordinary travellers. He had visited Marathon without risk, and the morning after that abduction he rode through the Pass of Daphne, on his



way to Megara and Corinth, at the time that the gallant officer and his captors were concealed there. A ransom of 30,000 drachmæ (about £1,100) was demanded, and immediately paid by King Otho, who was afraid that the French would make it a pretext for occupying Athens. No one doubted that this was a political move on the part of the Opposition for the purpose of embarrassing the Government. It had been said that half the National Assembly were representatives of the brigands; that might be so; but if so it only showed that they were not representatives of the people. The Greek representatives, who were paid for their services, sometimes made a trade of politics—as, perhaps, some future Members of that House might do when the Member for Leicester carried his Motion. Like some nearer home, they were not always very scrupulous about the means of winning an election, and even intimidation was not wholly unpractised in Greece. He did not believe that the brigands were a large or a popular section of the community. In Northern Greece, especially in Ætolia and Acarnania, the mountaineers were a wild predatory race, much like the Highlanders and Borderers of Scotland in former times; like them, they followed their hereditary chiefs to a foray without question. They were as cruel and unromantic a set of ruffians as ever drove off a poor farmer's cattle, or harried a peaceful village; just as those worthies were universally supposed to be before the magic pen of Scott did for them what Fenimore Cooper did for the Red Indians, by throwing around them a halo of fiction for which their descendants ought to be infinitely obliged. During the Crimean War Sta Maura was kept in anxiety, lest Grivas should lead his Palikars across the shallow lagoon and plunder Amanichi. Elsewhere the professional brigands were disbanded soldiers, such as those described by Hobart Pasha, outlaws, and vagabonds of all kinds. He had ridden into Zebadda one evening, and found the place in a state of excitement, on account of a neighbouring small town, the name of which he had forgotten, having been sacked that day by 40 brigands and the demarch murdered. It would be absurd to suppose that these robbers, torturers, and murderers of the country people should be popular with the country

people. During the Turkish dominion, indeed, they enjoyed some share of popularity as representing resistance to the common enemy; but that had all gone by. True, it was, that in Greece, as in some parts of Italy, none dared move his tongue against them, and whoever had read About's *Roi des Montagnes* need not be told the reason. The vengeance of the brigand was sure and unrelenting; the protection of the Government worthless. The Greek peasant, farmer, or country gentleman hated both; but he feared one, and despised the other; therefore, while he openly denounced the Camarilla at Athens, he spoke with bated breath of the brigand chief whose long arm he knew could reach him in his defenceless homestead, even from the mountain side of Æta to the plains of Boeotia or Achaia. It would be, in his opinion, most unfair to confound the Greek people with Greek brigands or Greek politicians. The people were a brave, industrious, temperate, frugal race, with great intelligence and desire for knowledge. In quite small towns, such as Sparta, might be seen schools where ancient as well as modern Greek, French, and English were taught. Their merchants were examples of success in every capital in Europe, and such success could not be general or lasting without probity as well as energy. Their sailors almost monopolized the carrying trade of the Levant. During the war of liberation there were actions by land and sea worthy to be classed with Salamis and Thermopylæ; but, unfortunately, there was no Æschylus or Herodotus to record them. The country people cared little about politics. They regarded the Government in Athens much as their predecessors did the deities of Olympus, as a body with whom it was best to have as little to do as might be, with whom they had no sympathies, from whom they expected no good, and could only hope to suffer as little harm as possible. They thought, with some reason, that intrigues of foreign Ambassadors had too large a share in the politics of Athens. A gentleman in Argos had said to him that there were in the Government of Athens the *Russóphron*, the *Gallóphron*, and others. There was only one element wanting—namely, the *Hellenóphron*. The public man in Greece, even when honest, was impractical and inconsistent. He lived in a

dream of a Greek Empire with a Byzantine capital, and yet during the Crimean War his sympathies were wholly with that Power whose success would have made the realization of his dream absolutely hopeless. He abounded in tirades against the removal of the Parthenon Frieze by Lord Elgin, and he left the marble lion of Chæroneia lying in a thicket beneath the famous mound in the three fragments into which it was blown by his favourite partizan chief Odysseus. He grasped at the shadow and neglected the substance. The Greek Constitution was scarcely fitted for the people. It was an artificial manufacture, like those of which we were, perhaps, a few years ago fonder than we were now, and more desirous of recommending to or forcing upon other people. He had heard Greeks say that there was much of the Oriental in their composition, and in their admiration of force coupled with justice; that they would prefer an absolute monarch with these qualities, who would sit in judgment in the market-place, reward one and punish another, like an Eastern Cadi. King Otho was scarcely the ruler for such a people. He did his best probably. He was a scholar, and he worked hard and successfully to restore the "great old tongue" to something like its original purity. He also set on foot a model farm, for the purpose of teaching improved agriculture; but Greece was scarcely ripe for such things. She wanted her old Hercules to clear the country side of robbers before it was fit for Apollo and the Muses. If, instead of lavishing large sums on a wretched German palace, and on a perfectly useless Army and Navy, whose only act of vigour was driving him from the throne, Otho had spent every drachma in making roads and maintaining a military police, something like the Irish constabulary, something better than the *orophylakes*, or guardians of the Marches, between whom and the brigands there was rather too much resemblance, he might have left behind him a really renovated Greece—a Greece which might look forward to a future worthy of her past—a Greece into which foreign settlers would have brought their capital and enterprise; as, in fact, they did, especially in Eubœa, where several English families settled until their lives and property were rendered unsafe by the brigands,

*Mr. Stephen Cave*

and Eubœa became as insecure as Westmeath. And, surely, if this horrible scourge could be removed, that fertile soil, magnificent scenery, and glorious climate, with its grand associations, within a week of England, would be more attractive for certain classes of emigrants than the six months' winter of Quebec, or the dust storms and cast-iron foliage of Australia on the other side of the globe. It had been said that these brigands were Turkish subjects; if so, they must pass out of Turkey in order to commit their crimes with impunity. A few years ago he was on a shooting excursion in Albania, close to the scene of the battle of Actium, and near the frontier of independent Greece. The hon. Member for West Norfolk (Mr. De Grey), who was not far off, would confirm his statement as to the perfect security with which they wandered over the country. The ladies of his party used to walk to them with their luncheon as they would on an English manor, without the slightest apprehension; but they were told that they would not be as safe across the border. Indeed, it was about that time that a party of English were captured opposite Zante, near the historic plain of Olympia. It was indeed time that, for the sake of Greece itself, this state of things should cease. He thanked the House for having tolerated these few observations, which nothing but a sense of justice would have induced him to make at a time when England was still mourning for her gallant sons who had so recently laid down their young lives on a soil which was not worthy of them, with a resignation and unselfishness the simple grandeur of which, he would venture to say, had never been surpassed in the most heroic age of that or any other country.

Mr. STRUTT said, he wished to offer a few observations, having himself had practical experience of brigandage in Greece some years ago, when he was placed in a predicament very similar to that which had ended in the calamity they all now so much deplored. If anybody could show that the Greek Government, earnestly and to the best of their ability, had endeavoured to put down brigandage, or, when their attention was called to particular acts, had even tried to bring the offenders to justice, he was perfectly willing to admit that this would



go far to relieve them from responsibility for the recent massacres. But looking at the history of Greece for the last seven years, he could not believe that they had ever really and honestly attempted to remove this scourge from the country. The condition of the districts nearest the capital and under the very eye of the Government had been notorious; they were the most unsafe in the whole country. Among the peasants there was no sympathy with brigandage, for they suffered more from it than any other class; it found no favour again with the commercial and agricultural classes; its continuance, therefore, could only be ascribed to sympathy and forbearance shown to it by those high in authority. He had no wish to bring charges against particular individuals; but he could not believe that the 30 Ministries of the last seven years would not have had the power among them to put down brigandage in Greece if the disposition to do so really existed. The telegraphic accounts of brigands put to death week by week in all parts of the country since the attention of Europe had been painfully excited contrasted strongly with the state of things previously existing. Several years ago there was a scoundrel upon whose head a price had been put in consequence of the murders which he had committed; five years ago this same man surprised the party to which he and his friends belonged, and since that time this brigand had gone on committing atrocities all over the country with impunity. But the moment attention was drawn to the state of affairs in Greece, without any increase of military force, the Greek Government showed themselves able to catch not only this brigand, but many others, whose names before had scarcely ever been heard of. That fact was sufficient to prove that brigandage had not previously been treated seriously in Greece. It was easy to be wise after the event, and to say what ought not to have been done; but clearly troops ought never to have been sent into the vicinity of the brigands, for the result of a collision must have been foreseen. Colonel Théagénis knew it very well, the unfortunate prisoners knew it also, Mr. Noel knew it, and the Greek Government had sufficient experience of brigandage to know it likewise. Brigandage in Greece was an institution. It had driven out

the trade of the country, and taken its place; and it was founded upon as fixed laws as any other institution. Of these rules the first was never to give up prisoners without a ransom being paid; and the next, if attacked, if possible to escape with their prisoners, but if this were impossible then to resort to the most extreme measures. He wished to take that opportunity of testifying to the kindness and energy shown by Mr. Erskine in carrying out the wishes of the party to which he belonged when made prisoners; desires which consisted in having the troops withdrawn, while their ransom was paid to the brigands. The present case, however, differed from all previous cases, as the Greek Government themselves had undertaken the negotiations with the brigands, and thus made themselves directly responsible for what had occurred. There was one point to which attention had not been sufficiently pointed, and that was the course pursued and the language held by former Governments of Her Majesty with respect to acts of brigandage in Greece. They could not fairly judge of this question without knowing what views were held by former Governments, and what efforts were made by them to impress those views upon Greece. He believed the only direct precedent with respect to the present case was furnished by the event in which he happened to be concerned. He did not wish to call in question the action of the Government on that occasion, for they were never pressed to take action or to recover the ransom that was paid, because the question was one of policy, and must very much depend upon precedent. But what he wished to point out was that, whatever communications were made by Her Majesty's Government to the Government of Greece, they produced a very different effect from what was intended, because the district of Acarnania, where he and his friends were taken, immediately afterwards, and for the next year or two, was in a worse state than before. He would not express any opinion as to the course which England, as one of the protecting Powers, ought to have pursued with regard to Greece; but he regretted when such an occasion for remonstrating offered that our remonstrances were of no avail whatever, and that the state of the country went on from bad to worse, until attention

was at last directed to it by the sacrifice of English lives. Mr. Herbert, in a Report written in 1869, at a time when he could have no anticipation of suffering from the system which he condemned, expressed a decided opinion that the suppression of brigandage and the construction of roads would produce such a change in the country that in a few years she would be able to lead the way in the progress of the East. That such a change might take place he, for one, earnestly hoped; but he could not approve of anything in the nature of military occupation or unjust interference with the internal affairs of Greece. He earnestly trusted that the Under Secretary for Foreign Affairs would be able to give an assurance that the investigation which was now going on would be carried out without respect to persons, would go fully into all the circumstances of the case, and that the exertion lately made to put an end to brigandage might prove no spasmodic effort when the eyes of Europe would be turned in another direction.

#### ARMY—OUR MILITARY RESOURCES.

##### QUESTION.

MR. SINCLAIR AYTOUN wished to ask the Secretary of State for War to give some more precise information than he had done with regard to the supply of breech-loading rifles. In the statement made yesterday the right hon. Gentleman was reported to have said that there were 300,000 breech-loading rifles in store, and that he had issued 61,000 to the Reserved Forces. Were all the Regular troops now armed with breech-loaders—were all the infantry not only in England, but in India and the Colonies, so armed? Were there breech-loading rifles for the Marines? He wished to know whether the 300,000 breech-loaders mentioned by the Secretary of State were in excess of what was required for the Regular infantry. He also wished to know whether the right hon. Gentleman intended to proceed immediately with the arming of the Volunteer forces with breech-loaders. He considered that the Government was greatly to blame for not having taken steps months ago to arm the Volunteers. In saying this he was not referring to the present emergency; but surely if the

Government had confidence in the Volunteers—and if they had not it was unlikely that they would submit Votes for them to Parliament year after year.—that force ought to be supplied with weapons something better than mere walking-sticks. It was also important that the House should have a correct estimate not only of the men, but the horses, guns, and stores that were available for the public service. Some people seemed to imagine that it was detrimental to the public service to ask for information on such points; but he had no doubt that every Government in Europe were as well, if not better, informed by means of their agents, of the state of our military affairs as the Gentlemen who were connected with the administration of the Army. Those who knew least about their own defences were the people of this country. He wished therefore to know whether the right hon. Gentleman would take steps to place the people of England in full possession of the necessary information about men, arms, horses, and so forth. The right hon. Gentleman was further reported to have said that our forces available for a foreign expedition amounted to 110,951 men. But if he really did say so, the assertion seemed to render his whole statement worthless, and he was, though doubtless unintentionally, misleading the country as to the condition of our military preparation. When we had only 90,000 regular troops at home, a considerable portion consisting of depôts, to say that we could send 110,000 men abroad appeared to be an assertion not only incorrect, but so astonishingly wide of the truth that he could not understand how it could be made by a responsible Minister. This he knew, that large deductions must be made from the forces on paper for the forces available. In France, out of about 600,000 men, leaving out the Garde Mobile and the National Guard, they were not able to put above two-thirds on the frontier. And yet in this country we were able to send on a foreign expedition forces much larger than the Regular Army. Then the House had been told that we had 105 batteries. Was he to understand that we had 105 batteries of field artillery and that those batteries were horsed? He hoped the right hon. Gentleman would explain all the circumstances of the case.

*Mr. Strutt*



MR. J. LOWTHER said, he believed that the purchase of horses for the belligerent Powers was going on in different parts of the country, and that in London at this very moment agents of both belligerents were at work endeavouring to obtain horses for their military services. He was told it was doubtful whether that could be brought within our neutrality laws; but an enactment of 16 & 17 *Vict.* enabled the Privy Council to issue an order restraining the export of any articles which might be required by ourselves for warlike purposes. He understood that the horses available for our cavalry had been largely reduced since the present Government acceded to Office. The other day, in one of our "crack" cavalry regiments, he found that, whereas within the last two years there were about 430 horses, they were now reduced to 300. Under these circumstances, he put it to the right hon. Gentleman whether he was likely to be able to remount our cavalry if the exportation of horses were allowed to go on at its present rate?

COLONEL GILPIN said, the Executive Government were the persons who should be able to judge what force ought to be kept up; but, as we could not compete in numbers with the large Armies of the Continent, our force, though small, ought to be most effective, according to its size, in every branch of the service. He asked, whether it was true, as was rumoured, that while there was a talk of arming the Volunteers with breech-loaders we had at this moment some of our Regular troops armed only with the muzzle-loader?

MR. WHITWELL said, he believed he spoke the sentiments of every Volunteer officer in the House when he said the men would not be satisfied if they were not allowed an opportunity of learning the use of the breech-loader. He hoped the Enfield rifle would be converted into the Snider, which was a better weapon than that adopted on the Continent. The conversion would cost only 10s. per gun, and the whole of our Volunteers might soon be furnished with those improved weapons.

MR. CARDWELL: The Snider, Sir, is the best breech-loader in the hands of any troops in the world, and every regiment of the Regular Army and also our Marines are armed with it; but, in speaking of the Regulars, I must except a por-

tion of the force in India. According to a rule laid down by the India Office, as I stated the other night, when any regiment goes out from this country armed with the Snider, the reliefs go out without their weapons and get them when they reach India. With that exception, all our Regulars and Marines are armed with breech-loading rifles. As to the cavalry, at the end of 1856, when the reductions were made after the Crimean War, the cavalry regiments consisted of 470; they are now 483 of all ranks. The rank and file were 408; they are now 407. We had then 300 horses; we have now 300. But that was thought at that time too large an establishment, and when the great reduction occurred early in 1857 the numbers were 19 regiments, in each of which there were 412 of all ranks, and 326 rank and file, with 271 horses. On the outbreak of the Indian Mutiny the numbers were increased to 660 of all ranks; 529 rank and file, with 428 horses. This year we have not put them down to the point they stood at in 1857; but they are 483 of all ranks and 407 rank and file, with 300 horses. After that I hope we shall hear no more of the excessive reduction of the cavalry. As to the troops at home, the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun) calls me to account for saying that we could send to the Continent an expedition of 110,000 men and upwards. Now, I never made any such statement; and I should be much surprised if any other Gentleman had understood me to say anything of the kind. It was my duty, in giving an account of our comparative forces at various times, to state how many men in this country were under engagements which rendered them liable to serve abroad if called upon. I gave the numbers from the date of the reduction after the campaign of Waterloo down to the present time, and I showed that we had in this country at this moment twice as many men liable to serve abroad as we had when the Duke of Wellington was Prime Minister, and a larger number liable to serve abroad than we have had in any year since the reductions after the campaign of Waterloo, with the single exception of 1856, before the reductions had been effected after the Crimean War. That is the statement which I made yesterday; it is quite accurate, and I adhere to it. As to the

force in this country, it is, according to the Adjutant General's Return at this moment between 82,000 and 83,000 men. That of which I spoke was the distribution of Regulars provided in the Estimates, which will be made up when the troops now under orders from the Colonies have returned. I gave them as being in 1870 89,051, as against 87,505 in 1868, and the Reserves as 21,900. I believe that is strictly accurate. I am asked whether the 105 batteries of artillery are all provided with horses. No, they are not. A considerable portion of them are garrison batteries. I have not said that we have 105 batteries of Royal Artillery all provided with horses; but that we have batteries and horses for an army of 60,000 men. I said that the guns are all horsed, and that all the horses that require to be trained are there. The draught horses for the waggons are not there. I said that to keep those draught horses was a larger provision than in times of profound peace a just sense of economy would justify. With regard to arming the Reserve with breech-loaders, it is hard that the hon. Member for Kirkcaldy should talk to me as if I desired to withhold breech-loaders from the Reserve Forces. I believe I began to give breech-loaders to the Reserve, and that what had been done when I came into Office—although if I am wrong on that I shall, no doubt, be corrected by the right hon. Baronet opposite (Sir John Pakington)—was to arm the permanent Staff, and nothing beyond it, with breech-loaders. But we have distributed within the last two years more than 53,000 Snider breech-loaders to different regiments of Militia, arming, I think, 64 regiments, and we have also distributed over 7,000 Westley-Richards breech-loaders to the Yeomanry, making together 61,000; besides which we have also armed that useful force the Pensioners in a similar manner. Do not let the hon. Gentleman then come down and charge me with having refused breech-loaders to the Reserve. We do not take hundreds of thousands of these weapons and distribute them in an hour, but we proceed gradually, and I repeat that we are just beginning to arm the Volunteers with breech-loaders—not suddenly thrusting them into the hands of every Volunteer, but acting according to rule, and thus putting that valuable

*Mr. Cardwell*

force in a position to take its place in the defensive forces of the country. I have great pleasure in assuring the hon. Member for Kendal (Mr. Whitwell) that, although he is himself an active and efficient Volunteer, he cannot have a more earnest desire to see that force thoroughly efficient than I have. The hon. and gallant Member for Stamford told us we have not in store 20,000 breech-loaders. [Sir JOHN HAY: I said I understood so.] Well, when a Gentleman so likely to be well-informed on warlike matters as I must admit the hon. and gallant Member to be supposes that our store of breech-loaders, instead of being what it is—namely, 300,000—is short of 20,000, I hope the House will be so kind as to acknowledge that the statements which are sometimes made, and which may obtain currency in very eminent quarters, when touched with the spear of proof and put to the test of fact are really not entitled to credit. I make this appeal because I think it is a great public mischief that idle stories of this kind should obtain currency.

LORD GARLIES said, he wanted to know whether it was intended to supply the Volunteers with the Snider rifle before all the Militia regiments were supplied?

CAPTAIN VIVIAN said, that the supply of the Snider to the Militia would be continued till all the regiments were armed with that weapon, and then Sniders would be gradually served to the Volunteers.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

#### SUPPLY—ARMY ESTIMATES.

SUPPLY—considered in Committee.

(In the Committee.)

MR. GLADSTONE said, he had to move a Vote of Credit for the sum required beyond the ordinary Grants of Parliament towards defraying the expenses which may be incurred in maintaining the naval and military services of this kingdom, including the cost of a further number of land forces of 20,000 men, during the war in Europe.

(1.) Motion made, and Question proposed,

"That a further number of Land Forces, not exceeding 20,000 Men (All Ranks), be maintained,



for the Service of the United Kingdom of Great Britain and Ireland, during the year ending 31st day of March 1871."

SIR WILFRID LAWSON said, he rose to ask the Committee to negative the Motion. He did not object to allowing the Government to exercise responsibility in respect of money voted. If war were declared he would intrust the Government with the responsibility of conducting it; but he objected to this Vote on principle. He agreed with the opinion expressed last night, that war when not a necessity was a crime, and that no war could be justified which was not strictly defensive. They were informed that the Army and Navy were in a most efficient state, and ready to repel any enemy; and if that were the case, he could not see the necessity for an increased Vote of men and money. It was argued that the Vote and the men the Vote was to pay were necessary, because two of the great Armies of Europe were engaged in hostilities; but to his mind there was less danger to this country from those Armies than if they were standing idle. The hon. and gallant Member for Waterford (Mr. Osborne) seemed much astonished because in the proposed Treaty between France and Prussia England was not mentioned. It appeared to him (Sir Wilfrid Lawson) that was a circumstance which ought to be very gratifying to us. "Happy was the nation which had no history." He held that our policy ought to be one of strict non-intervention; and it was because he regarded this Vote as the first step in a direction contrary to non-intervention, and dangerous to the country, that he should go into the Lobby against the Vote, if no one else went with him.

SIR JOHN PAKINGTON said, he need scarcely say that it was not his intention to support the hon. Baronet who had just sat down. He thought the Government were acting very properly in proposing the Vote now before the Committee; but, at the same time, he wished to make a few observations on the military condition of the country at this moment, because he was not satisfied with the statements which had been made by the First Minister of the Crown and the Secretary of State for War. He must say that those statements were calculated to mislead the country, though he was sure there was no intention on the part

of those right hon. Gentlemen to mislead either the House or the country. He thought, and he believed the Government would agree with him, that, in the presence of a great crisis in Europe, the whole truth should be known, and no ground should be left for supposing that we were not in a proper state of military preparation. The opinion had been stated on the part of the Government that our strength, under present circumstances, ought to be such as to make our neutrality respected. That statement was, in his opinion, worthy of the Government; but there was another statement made by the Secretary of State for War which he could not regard with the same degree of acquiescence. The Secretary of State for War said, that in point of numbers and efficiency, the Army of England at the present moment might challenge comparison with its state at any former time. He (Sir John Pakington) was by no means disposed to doubt that statement so far as efficiency was concerned; but he must challenge the statement with regard to the number of the Army. When he read the report of the speech of his right hon. Friend, he thought it must be an erroneous representation of what the right hon. Gentleman had said; but the speeches which they heard in that House last night gave an explanation as to what was really intended. What the Secretary of State for War said at the Mansion House was that "the Army and Navy may in number and efficiency challenge comparison with any other time," and what he (Sir John Pakington) supposed was meant was this, that the numbers now in England and Ireland might bear comparison with those at any former time. But, in his opinion, that meaning did not bear out the expression that was used, because that portion of the British Army that happened at the moment to be quartered at home, in Great Britain or Ireland, was not the British Army. His right hon. Friend would not contend that it was; and yet it was only by taking that expression to refer to the portion of the Army that was at home that it could for a moment be justified. The fact was that the British Army, instead of being as great in numbers as at any former time, had been reduced to an immense extent. He did not hesitate to refer to the circumstance, because it was idle to suppose that on a subject of this magni-

tude they could throw dust in the eyes of our own countrymen or of foreign Powers. Foreign Powers knew as well as we did what had taken place. He would mention the simple facts of the case. A little more than a year and a-half had passed since he surrendered the seals of the War Office, and when he left Office at the close of 1868 the Army that he turned over to his right hon. Friend who succeeded him (Mr. Cardwell) numbered 137,000 men. What were the facts now? Nineteen months had passed away, and during that short time the present Government had reduced the military power of England by no less than an Army of 24,000 men. When the Estimates of 1869 were brought in, 12,000 men, he believed, were knocked off the strength of the British Army, and the Estimates of 1870 had been brought forward lately, and again—he was speaking from memory as to figures—in round numbers 12,000 men more were knocked off; and, notwithstanding this, the right hon. Gentleman went to the Mansion House and told the British public that the Army of England was in numbers as strong as at any former time. He was sure that his right hon. Friend intended to make no illusive statement; but that statement was, repeated in substance, by the First Minister of the Crown last night. [Mr. GLADSTONE: I said for home defence.] Well, he disputed the proposition, even put in that way. He thought that there could be no greater delusion or danger than to estimate our strength by the number of troops that happened to be at home at the moment. In case of emergency the troops abroad might be recalled, or they might be made use of wherever they happened to be placed. He begged to remind the Government that these reductions in the Army did not pass without challenge. On both occasions, when the Estimates of 1869 and 1870 were brought forward, he and other Members on his side of the House remonstrated with the Government, and pointed out to them, and indeed entreated them, to remember how greatly changed was the system of modern warfare. They asked the Government to bear in mind the small number of troops they had, how rapidly wars were now begun and concluded, and how essential it was that we should be adequately prepared. That was the language used, though no one foresaw how speedily those views

would be confirmed by events. What was the answer given to those observations by his right hon. Friend the Secretary of State for War? It was two-fold. In the first place, he said that we had recalled our troops from all our Colonies, and consequently the number was increased at home. There was another answer of his right hon. Friend, and that was that though they had reduced the number of our Army they had not reduced the number of the *cadres* of regiments and of the battalions, and that the policy would be at once to fill up those *cadres* and battalions when an emergency arrived. What was the result of this policy at that moment? The present was not a time when he should think of entering upon the important and difficult subject of the policy of the Government towards our Colonies; and he would only say that it was a policy which he, for one, could not concur in. The question of withdrawing the troops from the Colonies was to his mind a question of time and degree; but abruptly to deprive the Colonies of Her Majesty's forces to the extent and in the manner that the Government had done, was to his mind anything but wise and judicious. The result was, that though they had strengthened the Army at home they had alienated not a few of the Colonies abroad, and at that very moment there were dependencies of the Crown, the inhabitants of which had been amongst the most attached and loyal of Her Majesty's subjects, where a feeling of desertion was producing a feeling of alienation, and where not a few persons would be ready to transfer their allegiance to another Power. That there were at the present moment in England a great number of battalions he admitted; but they were only skeleton battalions, and he doubted whether there was a single battalion, unless the Guards in London, in a condition to take the field. Suppose a case of emergency had arisen not between France and Prussia, but between either of those Powers and England, and that instead of being a spectator of the quarrel, this country had been a party to it, what would then have been our position? He admitted that if the Government were determined to reduce the Army, they had adopted the best way of doing so; but he maintained that the reduction itself was imprudent and impolitic; and now the Government were placed in a



position in which they felt it their duty to propose an increase in our military force to the extent of 20,000 men. In making these remarks he did not forget the fact that there were certain of our battalions that were stronger; but the description that he had given of the general state of the Army he believed was perfectly true and correct. He wanted to know in what way the 20,000 men were to be added to the Army; and the question how it was proposed to obtain these men led naturally to the question, what was the state of our Reserves. One argument used when these reductions were proposed was, that whatever reduction might be made in the Army, that reduction would never be made until the Reserves were established. He wanted to know where those Reserves were? He was surprised to hear the First Minister of the Crown state last night that our Reserves amounted to 41,000 men. He did not himself very clearly understand where these 41,000 men were to be found. The force included, of course, the Pensioners—not a very effective force, and who would number 14,000 or 15,000 men, and he supposed that it would include also the Militia Reserve, which this season amounted to 20,000 men. There was another almost ludicrous little force with a pompous name—the First Army Reserve—which last spring numbered 1,800 or 1,900 men. He would now call attention to what was one of the most important branches of this subject—he meant the state of our Militia. He, with his Friend and predecessor, General Peel, were responsible for that Militia Reserve. In enlisting the 20,000 troops the Government could not call upon this Reserve for men, because the Militia Reserve were only liable to serve in the event of actual war or the imminent danger of invasion of this country. But if the Militia Reserve should be called upon there was this serious consequence, that in whatever degree they called up that Reserve to strengthen the Regular Forces they would diminish the strength and efficiency of the Militia itself. He was not disposed to be severe upon the plan, for it was one that might be found very useful to the country; but when General Peel brought forward, and he, as General Peel's successor, carried the Act for establishing a Militia Reserve, it was upon the clear understanding that the Militia itself was to be strengthened

to its full quota, so as to bear as well as it could the reduction that might possibly be made in its strength. Now, his fear was that, instead of strengthening the Militia, his right hon. Friend had reduced it, and in this way—The Secretary of State for War had announced his intention of establishing Militia battalions of 1,000 men; but when he moved the Estimates he said that he intended to reduce the large regiments to 1,000 men and to increase the quota of the smaller regiments. He (Sir John Pakington) wished to know why his right hon. Friend had reduced the battalions, but had not, in the other direction, taken steps to increase the numbers of the small regiments. Our position when the present Government took Office was this—that we had 137,000 men in the Army, divided into effective, powerful battalions; while we had now 24,000 less men, and they were divided into skeleton battalions comparatively unfitted for active service. This being so, the Government were now about to retrace their steps and to raise 20,000 more men, who would be raw recruits, instead of experienced soldiers, such as were turned over to the Government when the last Administration left Office. He hoped that his right hon. Friend would offer some explanation as to what he intended to do with regard to the Militia; and he wished to know whether it was in the contemplation of the Government—looking at the present state of affairs—to take power, before Parliament separated, for embodying the Militia. As the law now stood this course could not be adopted without the action of Parliament, and therefore, in the event of its becoming necessary, unless the power were previously taken, it would be requisite to convene Parliament for the purpose. He wished to say a few words with regard to the point discussed last night and to-day, until he believed it had puzzled everybody—he meant the question of the supply of our breech-loaders. Although his right hon. Friend had most courteously and fully answered the question put, he thought that practically the result had been that no one exactly understood what our position was. His hon. and gallant Friend near him (Sir John Hay) had been lectured for his supposed inaccuracy in having stated last night that there were only 20,000 breech-loaders in store; and the

Secretary of State for War told them that there were 300,000 in store. He wanted to see if, by a final question and answer, this could be cleared up. He wished to know whether he was really to understand that we had 300,000 breech-loaders in store that had never been yet distributed to our forces anywhere? He should also like to renew the question that had been put by his hon. and gallant Friend behind him (Colonel Gilpin), and which had not been very distinctly answered. How far had the Regular Army been supplied? There was a report running about the House that there was at that moment in Scotland a regiment of Regular infantry that had not got these arms, and he asked was this true or not? [Mr. CARDWELL: No; it is the first time that I ever heard of it.] He was glad to have elicited that distinct denial, for Gentlemen all round him had been led to believe that the report was true. Was he, then, to understand that the Regular Army, including the regiment referred to in Scotland, was supplied with breech-loaders, that the Militia were to a certain extent supplied, and that over and above this there were 300,000 of these arms in store? [Mr. CARDWELL: Yes.] He was extremely glad to hear it, and he was glad that he had been the means of bringing out a statement upon a matter that had not previously been properly understood.

MR. CARDWELL said, that perhaps the best plan would be for his right hon. Friend to move for a Return of the number of breech-loaders in store—a Return which he would gladly give, and that would furnish the information with minute accuracy. He had repeatedly stated that he was informed by those who were responsible to him for the custody of the breech-loading weapons, that, in round numbers, the number of breech-loaders at that moment in store was 300,000.

SIR JOHN PAKINGTON said, if the right hon. Gentleman liked to put any such Return upon the Table, well and good; but they had had the statement distinct and clear which they had wished for, and he (Sir John Pakington) was perfectly satisfied, and had no desire to move for any Return on the subject. He repeated that he was heartily glad that he had brought out this distinct statement; and he had only to ex-

press the hope that the Government would lose no time—that they would not allow the question between the Martini-Henry rifle and the Snider to be the cause of any further delay; for the time had come when the supply of arms should be complete and satisfactory. He hoped that the Government would take care that no more time was consumed than was absolutely necessary in supplying all our Forces, both Regular and Reserve, with this arm. He could not help indulging in the hope that Her Majesty's Government, after the extent to which they had imprudently reduced the military forces of the country, would feel that they had had a warning, that the circumstances of the present moment were indeed to them a very serious warning. It was impossible to regard what was passing in Europe at that moment without feeling that there was an impression on the part of Foreign Powers that England had retreated from her high position among the nations. An idea prevailed among foreign nations that we were devoted to trade, that we wished to live cheaply, and that we cared little about our national honour. From the time of what he would call that most weak and pusillanimous policy of our Government not to interfere when Denmark was crushed by Prussia, the position of England in the eyes of the world had been changed. In his opinion, the reputation of England on the Continent fell from that moment, and had never revived. He did not think it was possible to reflect on the extraordinary circumstances of the Secret Treaty, to which such references had been made, without having that feeling increased. The circumstances connected with that Treaty certainly were not creditable to either party. Each party in turn had tried to throw the blame of the Treaty upon the other; but he doubted much whether we should ever hear more about the real facts connected with it than we already knew. But we knew enough to feel satisfied that it would be difficult for this country hereafter to depend upon the assurances of either of those Powers which had been mixed up with it. It appeared, however, to him perfectly clear that the disposition of Continental Powers now was to underrate the willingness of England to assert or to maintain any longer her European position.

*Sir John Pakington*



Considering, however, the delicate and responsible position in which the Government were placed, he felt the difficulty of appearing to press upon them any premature declaration. But, making full allowance for all the circumstances, he confessed he could not but regret that the right hon. Gentleman opposite had not thought it consistent with his duty to say more than fell from him last night as to the resolution of England to maintain her Treaty obligations. While giving credit to the Government for believing they had sound and sufficient reasons for their reticence, he thought it might be inferred, from the tenour of the debate last night, that, if not the unanimous desire of the House of Commons, the desire at least of the great majority of the House was that the honour of England, and her Treaty obligations should be maintained. Thanking the House for the attention with which they had listened to him, he had only to repeat the expression of a hope that the right hon. Gentleman would meet the inquiries which he now addressed to him by a full and clear explanation of what was the policy to be pursued by the Government in regard to our military armaments.

MR. CARDWELL said, that until he heard the speech of his right hon. Friend opposite (Sir John Pakington) he had no idea of what a serious thing it was to dine with the Lord Mayor; and, had opportunity been afforded, he should certainly have referred to the report of what he actually stated in replying to the toast of "The Army, the Navy, and the Reserve Forces." It would have been foolish as well as inexcusable in him if he had endeavoured to mislead any company by stating that the Government had not reduced the numbers of the Army since they came into Office. He had always been accustomed to take credit for those reductions, and though not, he hoped, in any spirit of ostentation, he had always been desirous that the nature and extent of those reductions should be thoroughly known. But what he wished to convey, and what he believed he had conveyed, was this—that the defences of the country, the power of the country to discharge her duty and to make her neutrality respected, had not diminished, and that the Army, the Navy, and the Reserve Forces, in point of numbers and disci-

pline, might challenge comparison with former times. If he had said that hastily at the Lord Mayor's table, he was prepared to repeat it deliberately in the House of Commons. It was all very well to talk of troops in the Colonies, and to speak of them as Reserves to be called upon in time of need. When he had the honour of acceding to the Colonial Office there were 10,000 of our best troops in New Zealand. He should like to know what advantage they would be in an emergency if they were in New Zealand now? If regiments were dispersed over the face of the globe—here a battalion and there a wing—what additional strength would they afford in the event of some grave European crisis? He took credit for advocating a policy of concentration; he adhered to it; and either before the Lord Mayor or in the House of Commons he should be perfectly prepared to give reasons in support of such a policy. These reasons, moreover, did not emanate merely from one side of the House; they had been held and urged most forcibly by his right hon. Friend who represented the Colonial Office in the late Government (Sir Charles Adderley), and those views had been ably expressed from time to time in despatches which were on record. It was said, indeed, that the attachment of the Colonies had cooled, and that colonists had been turned from loyal into disloyal men, because the mother country was no longer willing to incur the expense of defending them. His experience at the Colonial Office led him to entertain very different views of our colonial fellow-subjects, and he did not believe that the connection was likely to be weakened because they were called on to be self-asserting and self-dependent. The true policy he believed to be that embodied in the formal announcement from the two Houses of the New Zealand Legislature which he had the honour to receive—"We do not like your interference; but if your troops are here we cannot deny your right to interfere. We, therefore, prefer that you should take away your troops." England did not cease to defend the Colonies because she no longer kept small garrisons in them; the secret of their security lay in the fact, known to all the world, that war with any one of the Colonies meant war with England. Take the case of Canada. The knowledge

that we were going to withdraw our troops caused them to take measures to raise an army of their own, thereby setting at liberty a force ready to be sent to any part of the world where an exigency might arise. The policy of dispersion, he repeated, was a policy of weakness; the policy of concentration was a policy of strength. He never denied that his right hon. Friend opposite (Sir John Pakington), when at the head of the War Department, asked for a much larger number of men; whatever credit was due to him for that he (Mr. Cardwell) was willing that he should enjoy. His contention was that with a smaller Estimate a greater degree of efficiency might be obtained. His right hon. Friend said the Army had been diminished by 24,000—and he (Mr. Cardwell) would not quarrel with the number given, though he believed this included the civil portion of the Army—the Army Staff Corps as well as the combatants. The figures, as given in a Return officially prepared, showed that within two years the present Government had reduced the number of men by 22,681 combatants; but of these 4,000 belonged to colonial corps, which the Government had declined any longer to pay for out of the Estimates of this country; and, accordingly, this was not a diminution of strength, but a husbanding of resources. There was also a difference of 6,500 in the number of men at the depôts now and in 1868. But he begged to say that the dépôt battalions formed an organization strong upon paper, but weak in reality, and the present Government, by the alteration which they had made in the system, had added considerably to the strength of the country. He had never said that there was at this moment 89,000 men in the country. He had stated distinctly from the Adjutant General's Returns that on the 1st of July last the number of those in the country was 82,306, with 1,389 on their way home from the Colonies, making 83,695. To make up the 89,000 those ordered home from the Colonies were included, and those were provided for in the Estimates of the present year. The number provided for at home in the Estimates of 1868 was 87,505, and in those for the present year 89,051. But if the numbers at the depôts were struck out they would stand thus—in 1868, 70,492, and in this year 78,548.

*Mr. Cardwell*

He was told again that the Government had diminished the numbers and power of the battalions, and that though the number of battalions at home might be large, they must only be looked upon as skeleton battalions. Now, in time of peace it was quite possible to have an enormous Estimate or to have a moderate one; but with a moderate Estimate, one of two things was indispensable: either there must be a large number of battalions, each having very few men, or there must be fewer battalions with a considerable number of men in each. The question was, which of these systems really contributed most to the national strength? He believed that the same number of men, commanded by more officers and non-commissioned officers, would be relatively more efficient than the same number of men with fewer officers in charge of them. But what was the object? It was, that when a time of emergency arose the Minister might come down to the House and ask to have those battalions immediately filled up, and all that would be done all the more effectually by the country enjoying the advantages of economy in time of peace; the *cadres* would be ready and the force would spring into more active development, and all that would have to be done would be to pass a Vote for the additional numbers wanted. Then he was asked about the Reserves. His right hon. Friend (Mr. Gladstone) last night stated quite accurately what the Reserves were from official Returns furnished from sources from which the right hon. Baronet opposite (Sir John Pakington) had often derived his information, and upon the accuracy of which he would admit the Government were justified in relying. Drawing his information from those sources, he (Mr. Cardwell) now said that the Reserves of men engaged to serve abroad in 1868 were 3,545; whereas they were now 21,900. His right hon. Friend opposite called the Army of Reserve “a ludicrous little force with a pompous name.” When he considered that this “ludicrous little force with a pompous name” was the creation of the Government of which his right hon. Friend was a distinguished ornament, he was in perplexity as to the mode in which he could deal with the matter in reply. His right hon. Friend now said it had been a failure. Well,



he had brought in a Bill which he believed would remedy that evil and establish a Reserve which would not be a failure. Then objections had been taken to the Militia Reserve. He himself had taken some objections to it a year and a-half ago. That, also, was the creation of the Government of which the right hon. Baronet was a Member. Until they had got their new instrument they must do their best with the old; and, therefore, he thought it his duty to raise the Reserve to the full amount. That was done, and the men were there ready to serve their country, and were recruited on the terms which the right hon. Baronet had laid down. He had been asked what he had done with respect to the Militia? He had never said that he would alter the quota. It was a very troublesome thing to do, and it appeared to him more expedient not to resort to an alteration of the quota until the new Census was taken. What he did say was—and he appealed to the military Gentlemen who heard him in confirmation of its truth—that a Militia regiment of more than 1,000 men had generally been considered rather unmanageable, and that it was better to allow those regiments which were over 1,000 men to fall down to that number before they began recruiting again. But he said, further, that all the regiments below 1,000 men should be recruited up to that strength as rapidly as possible. The result appeared—from the same Return—to be that we had now 84,900 Militiamen, as against 79,768 in 1867. In making these references, he might observe in passing that of course a man did not become two men by being both in the Militia and in the Militia Reserve, and therefore if he was in the Militia Reserve he was not to be counted also in the Militia. His right hon. Friend opposite said that Her Majesty's Government were retracing their steps, because, having allowed a considerable number of men to fall off in a period of profound peace, they sought to fill the ranks again when, for public reasons, it was thought desirable to increase our strength. He did not consider that retracing our steps. It was exactly what he announced to the House on the first occasion. And when hon. Gentlemen talked of skeleton battalions, his reply was that they had taken the same number as Prussia, which was a high military authority. If they talked

of the quality of the men, then he would say, on the highest military authority, they had availed themselves of the reduction of our Army in time of peace to allow those to pass out of it who, for physical and moral reasons, were the least effective; and for the numbers he believed this country never had its Army in a more efficient state, man for man. He had been asked about a regiment in Scotland said to be without breech-loaders. A Scotch Gentleman sitting by him at the time suggested that it was not breech-loaders, but something else they wanted. Whether that was true he really did not know; of the two stories it was the more credible, but he would endeavour to ascertain whether there was any truth in the other statement. All he could say was that he had no occasion, from the remarks of his right hon. Friend, to withdraw anything that he had ever stated on this subject. It had been his desire to maintain that the policy of concentration was our true policy; that to have numerous *cadres* low in point of numbers was judicious; that, both for pecuniary and moral reasons, in a period of profound peace we ought to have our battalions small; and that when a time of emergency arose that system, and that system alone, could give us an opportunity of rapidly and economically increasing our forces.

MAJOR GENERAL SIR PERCY HERBERT said, there was one thing completely appalling, and that was the complacency of the right hon. Gentleman the Secretary of State for War, and the complacency of the right hon. Gentleman at the head of the Government. The right hon. Gentleman had criticized the term "skeletons," and said it was true that we had reduced our regiments to 500 men; but then the Government had only to come down to the House to make them efficient. It was quite true the House was ready to vote 20,000 men and £2,000,000 of money, and more, if necessary; but when they had got these 20,000 men the British Army would be still fewer in number than it was when the right hon. Gentleman came into Office. Since Parliament met this year he was informed that no fewer than 14,000 men had been got rid of. It was true the right hon. Gentleman had said that some of these were weak either in moral character or physical strength; but it could not be sup-

posed that there had been 14,000 men serving in our Army who were undesirable people to have, and he knew that the right hon. Gentleman himself had expressed, through official sources, his desire that a good many of them should return. That was the best test whether the right hon. Gentleman thought them worth having. The right hon. Gentleman had got rid of his men in the winter, and now in the middle of the harvest he sought to get them again. Every exertion had been made in the past week, and what had it produced? Under 300 men. How many weeks and months would it take to raise the men we wanted at that rate until winter came again, which was the recruiting time in this country? Then, no money encouragement was given to recruiting parties to bring back the men who had left. Why did not the right hon. Gentleman tell the House what he intended to do with his £2,000,000? How was he to replace the 20,000 men he had got rid of? Was he going to offer a bounty? There was a great objection to offering bounty to men they did not know, because many took it and then went away and enlisted in another regiment. But here was a case in which bounties of £5 or £10 might be judiciously given to those men who had been discharged a few months ago, and if that was done many would come in at once. He would like some details, if the right hon. hon. Gentleman would so far condescend, instead of dealing in general statements. The right hon. Gentleman had gone back on that eternal hobby of his—the Prussian establishment. Last year it was the French and General Trochu that were quoted in favour of battalions of 500. Well, 500 in the French and Prussian Armies was very good, because in a fortnight 500 or 600 more men who had served three years in the ranks could be brought into the Prussian Army, and into the French Army as many who had served six or seven. Of course, if they got rid of several hundred men from each regiment there was what the right hon. Gentleman termed a great power of expansion; but the question was, what had they got to fill their regiments up with when it was necessary to strengthen them? They had been told about the Reserve last night, and he could not conceive how the right hon. Gentleman (Mr. Gladstone) managed to

place it as high as 41,000 men. However, 14,000 or 15,000 of them consisted of their old friends the Pensioners—a very tolerable force, well worth its rations and pay, and adapted for the defence of the country in time of danger, but, certainly, not available for strengthening their Army. What they understood by the Reserve were, the men whom they were able to put into the ranks of those weak *cadres*. If they had 40,000 or 50,000 men of that description, there might be some justification for that reduction down to 500 men; but they had got nothing of the kind. The right hon. Gentleman could not call on the Militia Reserve to serve, because the country was neither at war nor in actual danger of invasion. He should like to know what steps were to be taken in regard to the Militia? A thousand men for a battalion of Militia was a very good establishment, and the right hon. Gentleman was quite right in reducing the battalions from 1,200 to 1,000, provided he did not lose the advantage of the extra 200 men, and had got them somewhere else; but he (Major General Sir Percy Herbert) was afraid that was not really the case. Without altering the quota, he thought it would be easy to raise a considerable number of Militiamen for the weak regiments by volunteering. Surely some intimation ought to be given in connection with the £2,000,000 now asked for, as to whether it was the intention of the Government to call out the first 50 or 60 battalions of Militia for training in the autumn. The battalion of 800 might easily be raised to 1,000 as soon as the harvest was over; and there was no reason why they should not be called out for six weeks' training. It would not cost much over £500,000, and would be money well applied. The Militia were now called out only for one month in the year, and although that period might be sufficient in "the piping times of peace" to keep them fairly organized, yet when they might want to embody them at any moment, they ought to have the advantage of some more training. Many of the Militia battalions—perhaps, the larger proportion—had never fired a ball cartridge, many regiments having no place for practice within convenient reach; and when a regiment was called out for only 28 days in the year, what chance was there of all its duties being

*Major General Sir Percy Herbert*



thoroughly attended to? Those were matters on which he wished to have explanations from the right hon. Gentleman. True, the right hon. Gentleman took £2,000,000, and that would be as much as he might be able to spend according to the arrangements he had announced, because the men recruited slowly, and their pay, till Parliament met again, would be small. When the right hon. Gentleman laid on the Table the Returns as to breech-loaders, it was desirable that he should mention whether the 45,000 now in Canada, and which, as he understood, were engaged to be given to the Canadian Government, were included. What was most alarming in the present circumstances was the want of a due appreciation of them on the part of the Government, and the fact that they could not see the blunder they had made in getting rid of 23,000 men, 14,000 of them within the last six months. The Government were now about to try and get them back again, and it was very remarkable that, of all the recent periods in our history, they should have looked with complacency on the year 1857, when substantially the same ministers were in Office as now, and when the same sort of reductions were made. What was the result? Why, they had not got rid of their men six weeks when they were trying to get them back again in consequence of the Indian Mutiny. Looking at the state of Europe, and with our extensive dependencies and Colonies, was it to be supposed that they could guarantee from month to month, or from year to year, that they were to have times of perfect peace, and that they could get rid of every soldier under the idea that they would have two years to recruit and strengthen their regiments when wanted? As a military man, he did not wish for extravagant Estimates, but every regiment they chose to maintain should be maintained in a fair state of efficiency. It was playing with words to tell them that the Army was as efficient as it had been at any time, and then to qualify the statement by adding "man for man." Nobody doubted that; but 500 men could not meet 1,000 in the field with any chance of success, and the question was—had they the means of filling up their skeleton regiments when necessary? And besides, the establishment of 500 men could not put 400 men into the

field. The right hon. Gentleman (Mr. Cardwell) ought to have known it, or there ought to have been some one in the Government who knew it. He was much pleased when the right hon. Gentleman was appointed Secretary of State for War. He believed the right hon. Gentleman had given his mind quite as much or probably more than any other Member of the Government would have done to military matters, and certainly he had always shown the greatest courtesy to those who were interested in them. His complaint was not against the right hon. Gentleman but against the whole tone of the Government. That right hon. Gentleman only spoke to orders and carried out the policy of his chief; and he must say that he found ten times more fault with the speeches of the First Minister of the Crown than with those of the Secretary of State for War, regarding them as most alarming and appalling.

CAPTAIN VIVIAN said, thinking the House must now be nearly surfeited with military matters, he would confine himself to correcting a few of the statements of the last speaker. His right hon. Friend (Mr. Cardwell) had been charged with not condescending to details, but he surely could not have known beforehand the details into which the gallant General had just entered, and he had applied himself to answering the speech of the right hon. Gentleman opposite, the late Secretary of State for War (Sir John Pakington). The hon. and gallant General had again and again harped on the alleged reduction of 23,000 men from the strength of the Army, notwithstanding the repeated contradictions and explanations given by his right hon. Friend. The reductions had been made from the West India, the Cape, and other colonial regiments; and 4,000 odd men of that reduction was entirely attributable to local corps, of no service whatever for the defence of this country. In addition to that, a large portion of the reduction was attributable to the dépôt battalions, which as the hon. and gallant General knew, contributed nothing to the strength of our forces as regarded home defence. With regard to recruiting, it began only last week, and began, too, without bounty; and he was happy to be able to state, upon information derived from the Deputy Adjutant General at the Horse Guards, that, considering the period of

the year—namely, harvest time, the worst time for the process, the recruiting had gone on most satisfactorily; and, notwithstanding that the bounty had been abolished, they had every reason to believe they would get all the men they wanted, and as rapidly as required. They therefore hoped they would not be obliged to resort to the objectionable system of tempting men to enlist by a bounty, which often tempted them to desert in order to get it over again.

CAPTAIN BEAUMONT said, no statement had been more often repeated from the Treasury Bench than that the defensive power of the country was never in a more satisfactory condition than at the present time. Secresy in these matters, he was aware, was desirable; and he had no wish to be set down as an alarmist. Secresy had its advantages and disadvantages, and his opinion was that as the veil had been partially raised, further reticence, with regard to our defences, would be out of place, and he was confirmed in that opinion by the statement made yesterday by the First Minister of the Crown—that our fortifications were incomplete and unarmed. That was as sweeping an announcement as could be well made, and removed all responsibility from any hon. Member who entered into the subject. The Secretary of State for War had made some statements with regard to ammunition, one of which was to the effect that the number of rounds of small ammunition that were fired during the war at Sebastopol could be manufactured at the Royal Arsenal in a week's time, and that the whole amount of projectiles used in the siege of Sebastopol could be turned out in three weeks. There was, however, a great difference between the ammunition used for small arms then and that used now; and he ventured to inform the right hon. Gentleman that if he would this week send an order to Woolwich Arsenal, so far from that quantity being manufactured in a week, it could not be turned out in six months, if it could be manufactured in eight or nine months, and so far from the projectiles being manufactured in three weeks, he staked his professional reputation on the assertion that they could not be turned out under a year at the very least. There was not only a great difference between the projectiles used then and those required

now, but it should be remembered that during the Crimean War the Arsenal was taxed to its utmost, besides which private firms were employed in the manufacture of projectiles for large and small guns. Since then artillery had been so much altered that private firms could not, except under peculiar conditions, be employed now—the projectiles required for the large guns were so special that no private firm could supply them—and therefore there was only the Arsenal to furnish what was required. With respect to fortifications, £7,500,000 had been voted. About £7,250,000 had been spent on the fortifications, and the other £250,000 that had been voted was necessary for arming them. Of course, without guns and shields the fortifications were, as the First Lord of the Treasury had stated them to be, incomplete. About 3,000 guns would be wanted, and he would remind the Committee that yesterday they were informed that the works were incomplete, but that the guns were ready. The real fact of the case was that it was exactly the reverse. The fortifications were completed, but there were no guns, or carriages, or shields to arm them. [*Cries of "Divide, divide!"*] With regard to the cries of "Divide" going on behind him, he begged to remind hon. Members that the remarks he was about to make were really pertinent to the question. He sympathized with hon. Members on his side of the House in their notions of economy; but he wished them to consider what true economy was. They had spent nearly £7,500,000 on fortifications, and were they to stop short because £2,000,000 were now required? If so, that was not his notion of what true economy was. Something like 3,000 guns were required for the fortifications; but he believed that at the present moment there were only 120 9-inch guns, 10 or 12 10-inch guns, and three 12-inch guns which were available—a disproportion in numbers which was ludicrous. The statement that the guns were ready but the forts were incomplete, and that that was the reason why at this moment we were in a defenceless condition, was not really the true state of the case. The present condition of affairs he took to be owing to the squabbling there had been about minor points in reference to the arming of the forts, and because the country had entered upon the construc-



tion of these forts before having resolved on a plan of arming them. It might be urged that his present argument was inconsistent with the line which he took last year when he brought forward the Motion with respect to the forts at Spithead. But that was not so; for the reason he stated against the completion of those forts was that they would involve a large expenditure of money without giving any equivalent returns. The proper course to take would be to complete the fortifications with one tier of guns, and had that course been taken in the past the Secretary of State for War would have been able to offer them now something better than castles in the air. He had been taunted by the Secretary of State for War about what he stated on a former occasion with reference to the Moncrieff gun; but he was able to state from actual observation that a few days ago the Moncrieff gun had been removed from Drake's Island, one of the defences of Plymouth Dockyard. He regretted also to state that although torpedoes were acknowledged as valuable instruments for defence, we had not got one in store of any kind, and he doubted if the plan had yet been settled on which they were to be constructed. We were equally deficient with regard to military telegraphs, which were the eyes of the Army. The right hon. Gentleman the Secretary of State for War had stated that recruiting was going on satisfactorily, and that there would be no difficulty in finding men. The points that he (Captain Beaumont) had brought under the consideration of the Committee might be said to be the eyes and the brains of the Army. It was easy to supply them in times of peace. They were invaluable things, but it should be borne in mind they could not in the hour of need be made and furnished in a short time. The Secretary of State for War had assured the House that recruiting was going on satisfactorily, and he asked the right hon. Gentleman to give his serious attention to what he believed to be the shortcomings with respect to our defences, and endeavour to remedy them as speedily as possible.

COLONEL NORTH said, he must express his surprise at the statement that the House had had a surfeit of military discussions yesterday and to-day. Valuable as was the time of the House, he

did not think, considering the great importance of the subject at such a moment, that that time could be better spent than in a complete discussion of the question. While he had been a Member of that House he had never allowed party feelings to interfere with his votes given on questions relating to the efficiency of the service, and if the House divided upon the Amendment of the hon. Baronet (Sir Wilfrid Lawson) he should support the Government. As to the observations made by the Secretary of State for War at the Mansion House, he (Colonel North) understood them to refer to the efficiency of our Army as an army of defence, and if we were not to act up to our Treaties, nor to be prepared to send a force into Belgium, no doubt our troops, notwithstanding that the amount of our Reserve Force was greatly exaggerated, would be sufficient for defensive purposes; but surely the country would not be content to remain only in that position. Our Army was admitted to contain 20,000 men less now than it did two years ago. The right hon. Gentleman was always referring to the Prussian system, but the circumstances of the two countries were different. If we had such Reserves as the Prussians, he would not say one word about adding to the number of men under the colours, because in Prussia he had seen the Reserves enter the military stores in their civilian dress and within 48 hours afterwards he witnessed them manœuvring in the most admirable manner. As the sale of horses to belligerents had been referred to, he might point out that the horses in our cavalry regiments were in many cases deficient in number and indifferent in quality. The 7th Dragoon Guards at Wimbledon last week had 70 horses less than its proper number, 300. It was the same with regard to the artillery; in that wretched flying column of 2,300 strong at Wimbledon last week 30 horses had to be borrowed from another battery in order to enable six guns to be brought to Wimbledon. He thought the supply of horses for our cavalry and artillery ought to engage the attentive consideration of the Government.

MR. T. B. POTTER said, he should support his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) in dividing against the Vote not from any want of

confidence in the Government, but simply because he looked upon this Vote as an approach to a policy of intervention, which he was strongly opposed to. He hoped no step would be taken in the direction of such stupendous folly as sending an English Army to the Continent.

LORD GARLIES said, he wished to know under what regulations the men now asked for would be enlisted? If under the recently passed Enlistment Bill the Secretary for War would have large powers in specifying how long a time the men would have to serve in the regular Army and how long a time in the Army of Reserve.

MR. CARDWELL said, the regulations under the new Act could not be drawn up until that Act had received the Royal Assent. The men would be enlisted under the regulations now existing.

LORD GARLIES said, he wished to know whether they would receive a bounty?

MR. CARDWELL said they would not. The bounty had been discontinued, and he was happy to say he had learned from the Deputy Adjutant General that morning that the recruiting was going on quite as well without bounty as it ever had done with it.

Question put.

The Committee *divided*:—Ayes 161; Noes 5: Majority 156.

Resolution to be reported *To-morrow*; Committee to sit again *this day*.

#### GLEBE LOANS (IRELAND) BILL.

##### QUESTION.

MR. NEWDEGATE asked the First Lord of the Treasury when this Bill would be taken again. The Report of Amendments was brought on at 35 minutes past 2 o'clock that morning, the right hon. Gentleman apparently desiring that no information should reach the public with regard to the measure and that the debates upon it should not be reported. He wished to know whether a similar arrangement was contemplated by the right hon. Gentleman for that evening?

MR. GLADSTONE said, he desired that the Bill should come on as early as possible, and it was the intention of the Government to proceed with it that evening.

*Mr. T. B. Potter*

MR. NEWDEGATE: At what time?  
MR. GLADSTONE: At any hour.

#### SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(2.) £2,000,000, Expenses beyond Grants, Naval and Military Services, including Cost of further number of Land Forces.

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £217,300, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Expenses of the War Office, which will come in course of payment during the year ending on the 31st day of March 1871."

MR. ANDERSON said, he must express his disappointment at the fact that in recasting a Vote, which was originally £222,000, the Government had not been able to save more than 2 per cent, notwithstanding the recommendations of Lord Northbrook's Committee. He would move the reduction of the Vote by £1,768 on the item of £2,200 for the Salary of the Commander in Chief; £256 on the item of £1,000 for the Military Secretary; and £300 on the item of £365 for the Private Secretary.

Motion made, and Question proposed,

"That the Item of £4,000, for the Salary of the Officer Commanding in Chief be reduced by the sum of £1,768."—(*Mr. Anderson*.)

MR. CARDWELL said, he thought the hon. Member surely could not have read the Vote, or he would not have described the reduction as only 2 per cent. In reality a reduction had been effected of £58,872 in respect of the salaries of 169 officers. The benefit of this might not be evident immediately, because they had regard to existing interests; but he might state that out of the 169 officers they proposed ultimately to reduce, there were already 79 vacancies. In effecting a measure of disestablishment and disendowment such as this was, existing interests must be borne in mind, and the Government had not made a sudden and sweeping reduction without some consideration for the gentlemen who now held the offices in question. This was not the first occasion on which the hon. Gentleman had brought forward the subject of the Commander in Chief, and at an earlier part of the



Session he (Mr. Cardwell) had shown that the result of carrying out the hon. Gentleman's views would be that many eminent officers would cease to occupy their present positions.

COLONEL NORTH said, that Cabinet Ministers had their Private Secretaries; and he did not see any cause, therefore, why the Commander in Chief should not enjoy the advantage of the services of a Private Secretary. He observed that the grant to the Permanent Secretary was reduced from £2,000 to £1,500. He was sorry that the hon. Gentleman (Mr. Anderson) had not taken the trouble to master this subject, though, as a civilian, he could hardly do so.

SIR JOHN PAKINGTON said, he believed that the office of Field Marshal Commanding in Chief had never been filled with greater ability and zeal than at the present time. The question was whether the services of so distinguished an officer as the Commander in Chief—looking, too, at the high social position which such an official must occupy, were over remunerated by such a salary. He thought it could hardly be said that £4,000 a year was too much.

MR. M. CHAMBERS said, that this was a question of plurality of offices, because the Commander in Chief was also paid as the colonel of one, if not of two regiments; and he (Mr. M. Chambers) thought that in time of peace colonels might be dispensed with.

COLONEL NORTH said, he would suggest that the pay of officers of the Army should be put upon the same footing as the pay of officers of the Navy.

MR. BASS said, that £4,000 a year was not too much for the Commander in Chief.

Question put, and *negatived*.

Original Question put, and *agreed to*.

MR. BOWRING said, he wished for some explanation with respect to the Department of the Inspector General of Fortifications and the Director of Works.

MR. CARDWELL said, that the hon. Gentleman was right in his presumption respecting the Inspector General of Fortifications. It was considered sufficient to have one Deputy Inspector permanently on the Estimates. Pending the completion of the Loan Works, Colonel Jervois would retain office, but be paid from the Loan Fund.

## SUPPLY—CIVIL SERVICE ESTIMATES.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £21,450, be granted to Her Majesty, to enable the Treasury to make the necessary Advances, during the year ending on the 31st day of March 1871, for the Purchase of a Site, Erection of Building, and other Expenses, for the New Courts of Justice and Offices belonging thereto."

MR. SCLATER-BOOTH said, he must draw attention to the extent to which the custom of introducing "Supplementary" Estimates was now carried; and, to put himself in order, he would move *pro forma* that Progress should be reported. He admitted that within certain limits Supplementary Estimates were not only legitimate, but necessary; but an understanding was come to last year for the restriction of these Estimates to subjects upon which fresh legislation had taken place since the beginning of the Session. In the present instance, however, this rule had been wholly disregarded. Among the Estimates was one of £15,000 for the Science and Art Department at South Kensington, £21,450 for the Courts of Justice (of which, however, he made little complaint), £7,000 for New Post Office Buildings, £28,000 for Alderney, £6,000 for the Natural History Museum, a Vote for compensation to Foreign Office agents, and other similar Votes, all upon subjects on which the Government might, and ought to, have arrived at a decision at the time when the original Estimates were submitted to the House. What was the consequence? When the Estimates were introduced much stress was laid on the reduction that had been effected in them; but the Committee would find that, if they added these Supplemental Estimates together, they amounted to nearly £150,000, which, if added to the gross amount, would considerably alter the character of the Estimates as originally introduced, and would make the Civil Service expenditure little short of that of last year.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (Mr. Selater-Booth.)

MR. STANSFELD said, this was not the first or second time that the hon. Gentleman had endeavoured to show

that the promise of economy in the Civil Service Estimates had not been fulfilled. But what were the facts? The Estimates this year showed a reduction of £250,000 as compared with last year; those of last year a reduction of £80,000 on the previous one; whereas the year before that showed not a reduction, but a very decided increase. With the increase of legislation upon these subjects it was also impossible to expect a reduction in the Civil Service Estimates, and all that could well be done was to check and moderate their growth. As to the Supplementary Estimates, he admitted that the Government must give sufficient reason when they came on for discussion not merely for each Vote, but for their not having been presented before. The increase to which his hon. Friend alluded was almost entirely in the first class; and, that being so, he was sure the hon. Gentleman would be the last man not to acknowledge that economy in the Estimates as a whole was being practised. The expenditure on Works and Buildings was, as he was aware, very great.

COLONEL SYKES said, that all things that could be foreseen should be included in the original Estimates, and he believed that the only way to check the present system would be to reject the Supplementary Estimates *in toto*. There was a charge year after year for new furniture in the different Offices; as tables, chairs, and cabinets were not evanescent, the expenditure under that head required explanation.

MR. RYLANDS said, he must complain of the continual increase of the Civil Service Estimates. They had increased by £5,000,000 within the last five years. Next Session he would give the House an opportunity of expressing their opinion upon the subject.

MR. AYRTON said, he would refer briefly to the history of the proceedings connected with the proposal for building the new Courts of Justice. The Act authorizing the erection of a new Palace of Justice on the north side of the Strand passed five years ago, and contemplated that the whole undertaking should be completed for a sum of £1,500,000. A Commission was appointed and satisfied themselves that £750,000 would be sufficient for the site and £750,000 more for the construction of the building. An arrangement was come to that instead of the Treasury preparing the

plans a Commission should do so, and a Commission consisting of many persons eminent in the profession of the law, was appointed who employed an architect, who prepared plans, and it was soon found that the land acquired was insufficient for the building. Next year another Act was passed, enabling a certain tax to be imposed upon the suitors, to enable the site to be enlarged, and in 1868 it was found that the cost of the buildings which had been planned would be £3,250,000. The late Board of Treasury sanctioned the acquiring of additional land for the enlarged design; but the present Board had to consider this matter in order to reduce the cost within reasonable limits. Last year it was shown to be unnecessary to spend such an enormous sum as £3,250,000, and this year, at the request of the Chancellor of the Exchequer, he had communicated with all the parties concerned in order to see whether the scheme could not be executed within the limits of the sum originally sanctioned by Parliament. As regarded the acquisition of land the limit had already been exceeded, the expenditure having amounted to upwards of £800,000; but nothing had been done in reference to the building. All attempts to improve the site failed, because he was not possessed of compulsory powers; but the efforts made to improve the building were successful, and ultimately a radical change was effected in the plan, by which Mr. Street was enabled to adjust the building to the ground. The Royal Commissioners had then to be consulted; they had arranged what departments might be accommodated within the block of buildings, and the architect felt satisfied that he would be able to mature his design so that provision should be made for bringing together all the offices which were immediately concerned in the administration of justice in the Superior Courts. The Royal Commission had not declared their final adoption of the plan of Mr. Street; but they had expressed their readiness to approve of it, and he had no reason to doubt that within a few days the Government would obtain that acquiescence by the Royal Commissioners which was required by law, and then they would be in a position to proceed with the building. The object of the present Vote was to provide the sum required to clear the ground



and lay the foundation. This and the preparation of the working drawings and the tenders would take some time, so that as to the building money, an account would not be required before the commencement of the next financial year. He therefore hoped that the building would proceed under such conditions as to give a seasonable security that the prescribed sum would not be exceeded.

MR. G. B. GREGORY said, he was glad that at last they were about to commence a building for which there had been an agitation during more than 30 years. It was true that the Estimate for the land had been exceeded; but, considering that the land taken was in the centre of London, and recollecting the amount of the purchase money, the increase was not a large one. With respect to the plans, he believed that all the accommodation that would be required for the administration of justice would be provided in the building according to the revised plan. The contemplated fusion of the Courts of Law and Equity could not be carried out until the proposed accommodation had been supplied, and he therefore hoped that, when this work was commenced, it would be energetically and successfully prosecuted.

MR. WHITWELL said, he wished to ask whether, by this Vote, the sanction of the House would be given to all the arrangements, including the approaches?

MR. ALDERMAN W. LAWRENCE said, he was glad that they had at last obtained a block plan, although it differed materially from the one originally prepared by Mr. Street, and which might be seen in the Library, for the building now proposed approached much nearer to the Strand and to Carey Street than in the former design. If the present plan were carried out the building would not be seen to advantage, nor would the approaches be anything like sufficient for the accommodation of the public. Here, as had been the case around the Westminster Palace, what was wanted was space, from which the buildings could be viewed. The extra traffic which will be brought to the Strand, to Chancery Lane, and to Queen Street, Holborn, by the New Law Courts will be large, and ought to be provided for by additional approaches to the building. They ought to look not merely to the wants of the day, but to provide for future require-

ments. It was often said that Temple Bar was a great obstruction to the traffic; but it was not in consequence of Temple Bar that a congestion of traffic took place, but in consequence of the large traffic passing in and out of Chancery Lane. What was wanted was space in front of the building for six carriages to pass abreast, and that was what the plan did not provide.

MR. BÉRESFORD HOPE said, he must express his satisfaction at seeing that they were at last approaching the accomplishment of this great work. He did not on principle object to the compression of the plan. The competitive plans, with all their magnificence, might be described as inflated. He thought a building could be erected on the present site which would be sufficient for the Law Courts, and, at the same time, be an ornament to the metropolis, satisfying the most fastidious taste. As regarded the reserve of open ground in front of the building, he found that it varied from 30 feet to 80 feet between the line of the building and the Strand; the broader spaces lying between projections, which would afford ample shelter for carriages and loiterers. If it were found by experience that more room would be required for further buildings, the south side of the Strand could be rebuilt for the purpose, and the sooner that was done the better, whether more Law Courts were needed or not. The advisability of opening up the great arteries of London was agreed on by all; but the requirements of the public in respect of the Law Courts had been greatly exaggerated; and he did not believe the traffic in the Strand would be increased by them to any extraordinary extent.

MR. AYRTON said, in reply to the hon. Member for Kendal (Mr. Whitwell), he had to explain that the question of approaches was in no way connected with the Vote under discussion, which would bind the Committee only to the block plan.

MR. DILLWYN said, he must complain of the great expense attending the purchase of this site. The vendor's costs amounted to £36,000; surveyor's charges, £8,000; legal expenses, £8,000; accountants' clerks, £3,000, and preliminary expenses, including the Royal Commission, £17,000.

MR. JESSEL said, he desired, on behalf of the Bar, to congratulate the Government on having at last matured a plan for the consolidation of the existing Law Courts; but he doubted whether sufficient accommodation had been provided for extra Appeal Courts in the event of the future consolidation of Law and Equity. He hoped the unappropriated space within the building would be devoted to that purpose.

ALDERMAN SIR JAMES LAWRENCE said, he was of opinion, as a member of the Royal Commission, that the present block plan almost entirely disregarded the chief points to which the Commissioners had directed particular attention—namely, light, air, and the approaches to the buildings. But all their recommendations seemed to have been set aside for the sake of economy, and £600,000 or £700,000 would be required 20 or 30 years hence to rectify the mistake. The central hall of the building was much inferior to that shown in the original plan, and would, in his opinion, be found inconveniently small.

MR. AYRTON said, he must deny that light and air had been sacrificed to economy. The fact was exactly the contrary; the Office of Works had rejected the plans sanctioned by the Royal Commission on the ground that they did not afford so much light and air as those which had been adopted in lieu of them.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(5.) £64,000, to complete the sum for New Palace at Westminster, Acquisition of Land.

(6.) £13,000, to complete the sum for New Home and Colonial Offices.

MR. BERESFORD HOPE said, that as these new offices were intended to form part of a very important block of buildings, he thought hon. Members ought to have the opportunity of inspecting the elevations, and forming a judgment upon them.

MR. AYRTON said, that the elevations of the building would be designed by Mr. Scott, the same architect who had built the other part of the block, and he would make it harmonize with the whole. No advantage would result from delaying the construction of the building for another year, simply

*Mr. Dilkeyn*

to enable hon. Members to look at the elevations.

MR. BERESFORD HOPE said, he accepted with gratitude the testimony which the right hon. Gentleman (Mr. Ayrton) had borne to the honour and capacity of the profession of architects, and to the utter inefficiency of amateur meddlers.

*Vote agreed to.*

(7.) £37,250, to complete the sum for National Gallery Enlargement.

MR. BERESFORD HOPE said, he wished to know what architect would be employed on this important work?

MR. AYRTON said, that Mr. Barry, who was appointed by the late Government, would be engaged, provided he subscribed the conditions of the work.

*Vote agreed to.*

(8.) £44,000, to complete the sum for Science and Art Department.

MR. SCLATER-BOOTH said, he wished to inquire as to the nature of this large work, and why the Vote had been increased since the Estimate was laid on the Table?

MR. AYRTON said, that the explanation was simple. The Vote was originally proposed without the knowledge of some facts which had subsequently transpired. It was found that a large amount of work had been already done by the contractor for which he had not been paid.

*Vote agreed to.*

£644, for the Monument to the Duke of Wellington.

MR. AYRTON said, that since this Vote had been proposed his attention had been called to this great national monument, and he had found it necessary to take steps to secure its completion. Those steps had involved the discontinuance of the services of the superintending architect, and the setting aside of the contract entered into with the sculptor. The Vote would have to be submitted in a different form next Session, and it was likely that the present Estimate of the sum required to complete the work would have to be greatly exceeded. Papers which he presented a few days ago, and which he thought would have been distributed by this time, would put hon. Members in possession of all the facts.



In the meantime it was best that the Vote should be withdrawn.

Vote, by leave, *withdrawn*.

(9.) £5,513, Royal Parks and Pleasure Gardens, Supplementary.

(10.) £7,000, Post Office and Inland Revenue, Works, &c., Supplementary.

MR. AYRTON explained that a large hall was required for the sorting of newspapers, under the arrangements that were shortly to come into operation.

Vote *agreed to*.

(11.) £28,500, Harbours, &c., under Board of Trade, Supplementary.

MR. CANDLISH said, he must call attention to the expenditure upon the Alderney Breakwater. The original Estimate of £620,000 had been supplemented by £1,355,000, and now a further sum was asked for, and there was a note indicating that the Vote would not be sufficient to complete the works. He should like to know how much more money was likely to be required?

MR. SCLATER-BOOTH said, he could see no reason why the charge on account of that breakwater should not have been included in the original Estimates.

THE CHANCELLOR OF THE EXCHEQUER said, he had to explain that, as the breakwater sustained serious injury last winter, it was reported upon by Mr. Hawkshaw and Colonel Clarke, whose opinion was that it would yet take something like £250,000 to complete the breakwater, and then considerable expense would have to be incurred in fortifications to protect it. Further, they said that if the work was completed it was doubtful whether it would stand, because the foundation appeared to be overweighted; that there was also an idea that the breakwater stood on the brow of a hill, and there was considerable danger of its sliding down into the sea, and that it would require 18 months' observation of vertical sections to ascertain whether the work would stand or not. Before deciding either to abandon a work, on which so much money had been expended, or to incur considerable additional expenditure, the Government thought it well to subject the breakwater to the test recommended for 18 months. These were the facts which explained the delay that had occurred in submitting

the Vote. The amount now asked for—something more than £10,000—on account of the harbour, was required for the completion of works with regard to which arrangements had been entered into with the contractor.

COLONEL SYKES said, he had Session after Session objected to the continuation of these works, and he protested against any more money being expended on them. Of what use had the breakwater been? The idea that the fortifications and works at Alderney were to be regarded as a protection to England against Cherbourg was ridiculous; and if the breakwater slipped into the sea was it intended to fish it out again?

MR. WHITE said, the suggestion made by Mr. Cobden 15 years ago, if adopted, would have been a great saving to this country—namely, that it would be better for Her Majesty's Government to purchase the fee simple of the island and blow it into the sea.

MR. DILLWYN said, he hoped the House would be informed upon whose advice this enormous expenditure was originally incurred.

Vote *agreed to*.

MR. NEWDEGATE said, he would beg to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Newdegate.*)

MR. SCLATER-BOOTH said, there were only two or three more Votes to be taken.

Motion, by leave, *withdrawn*.

(12.) Motion made, and Question proposed,

"That a sum, not exceeding £6,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for the erection of a Natural History Museum."

THE CHANCELLOR OF THE EXCHEQUER said, the British Museum had long been suffering from repletion, and there were no means of exhibiting the valuable articles which, from time to time, were bought for the national collection. Five years ago the Trustees resolved in favour of separating the collections, and it had been determined to separate the Natural History Department from the Books and Antiquities. For the

Natural History Collection the typical mode of exhibition had been decided on, and the building required must cover at least four acres. Even the present collection would pretty well fill a building of these dimensions, and provision must be made for further extension. The question was, where should this building be situated? It had been proposed to place the Museum on the Embankment between Charing Cross and Waterloo Bridge; but then it would be necessary to take land destined for public gardens; and, if even this were permitted, it would be also necessary to buy the land from the Metropolitan Board of Works, no doubt, at a high price. That proposal was, therefore, untenable. Then, it was suggested that there should be an addition to the British Museum. But land there sold for £50,000 an acre, and the expense of such a site would be quite out of the question. Another proposal was for placing the Museum between the Admiralty and the War Office; but sufficient land could not be obtained in that position. This being so, the thoughts of the Government naturally turned to Brompton. The Trustees of the Exhibition of 1851 sold to the Government 16½ acres of land at £7,000 an acre. It therefore cost £120,000; but if it now went into the market it would fetch £100,000 more. The sale was coupled with the condition that any buildings erected upon the land must be for purposes of science and art. For seven years the land had remained waste, a sort of Potters' field, and a scandal to that part of the metropolis. The Government now proposed to place on that piece of land the museum required for the natural history collection. It would occupy four acres; there would be room for wings, and the outside estimate for the building was £350,000, not an unreasonable price, considering its extent. For the present, however, the Government merely asked for a small Vote to enable them to clear the ground, and in order to take the opinion of the House. Railway communication had now made South Kensington easily accessible, and unless a more eligible, a more accessible, and a cheaper site could be suggested, he hoped the Committee would agree to the proposal. He might add that, if it were hereafter thought desirable to do so, there would be room

enough on the same site for the Patent Museum, the necessity of which had been much insisted on.

MR. BERESFORD HOPE said, he thought the separation of the Natural History Collection from the Library, the Staff, and the Antiquities of the British Museum a great misfortune; but, even if that had been necessary, another objection to the proposal was, that the Natural History Museum would not be in a central position. As to this special proposition, he had in his hand evidence given before a Committee last year condemnatory of it from Professor Owen, Professor Huxley, Sir Roderick Murchison, and Mr. Cole. At the same time, he admitted that the site proposed by the right hon. Gentleman had the advantage of expansiveness. If he saw a reasonable hope of postponing the question and obtaining a site nearer to the centre of London, he would divide the Committee against the Vote; but he did not wish to go into the Lobby with only a small minority at his back. He regarded the present proposal as a mistake, for he thought the British Museum ought to have been fostered and developed as one united institution. It was clearly an anomaly, a mistake, and a blot upon our system that, after erecting the huge and expensive building in Bloomsbury, the various collections should be broken up, and some of them should be sent to a distant suburb of London. The site proposed would be inconvenient to the working classes, to whom, on the contrary, a museum on the Embankment would be accessible and welcome.

MR. KNIGHT said, he wished, as one of the Trustees of the British Museum, to say that this proposal was against the wishes of the Trustees generally, and was opposed to the opinions of all the most eminent scientific men of the country. If this gross Brompton job were carried out it would be an enormous expense to the country, for everything would have to be provided in duplicate at Brompton. The working Trustees of the Museum had been swamped by the official Trustees. He deeply regretted that the property in the rear of the Museum belonging to the Trustees had not been utilized, as the leases fell in, for the enlargement of the building. He should certainly divide against the Vote.



MR. SOLATER-BOOTH said, the hon. Gentleman was mistaken as to the views of scientific men, for three years ago a Memorial had been presented by him to the then Treasury, signed by the most conspicuous scientific men in the country, in favour of the separation, and expressing indifference as to the site chosen for the Natural History Collection.

THE CHANCELLOR OF THE EXCHEQUER said, he might add that of the working Trustees the right hon. Member for Buckinghamshire (Mr. Disraeli), the right hon. Member for Cambridge University (Mr. Spencer Walpole), and himself were in favour of separation. And Sir George Lewis was also of the same opinion.

MR. DILLWYN said, the scientific men were then divided in opinion, for he knew that many of them considered that it would be almost fatal to the real utility of the Natural History Collection to carry out such a scheme.

MR. BENTINCK said, he wished to ask, when an examination was last made of the Natural History Collection, which was generally described as a lot of stuffed monkeys? He had heard that many of the specimens had never been seen for many years past, and the majority of them were quite unfit for removal. He wished to know whether that was so?

THE CHANCELLOR OF THE EXCHEQUER said, that point had been considered. All that was visible was movable, and he hoped the invisible would prove to be as movable as the visible.

MR. BENTINCK said, that was no answer to his question. An economical Government would scarcely ask the House to build a museum for stuffed monkeys that turned out on examination to be nearly eaten away.

MR. BERESFORD HOPE said, he must ask the Chancellor of the Exchequer to state more fully the opinions of the Museum authorities. Certainly, Professor Owen, Professor Huxley, Sir Roderick Murchison, and even Mr. Cole, although in the Kensington interest, had all formerly pronounced against so great a separation as would be involved in an emigration to South Kensington.

THE CHANCELLOR OF THE EXCHEQUER said, he had already stated the opinion of the working authorities of the Museum.

Question put.

The Committee divided:—Ayes 96; Noes 34: Majority 62.

(13.) Motion made, and Question proposed,

“That a Supplementary sum, not exceeding £851, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1871, for Superannuation and Retired Allowances to Persons formerly employed in the Public Service.”

MR. STANSFELD said, he had to explain that the Government had resolved to allot to the Foreign Office agents compensation to the extent of two-thirds of their net profits during their tenure of office as clerks in the Foreign Office. Their net profits amounted in the aggregate to £3,829 per annum. The two-thirds of that sum was £2,552. It was only fair to state to the Committee that the late Board of Treasury altogether declined to grant compensation to these gentlemen, and suggested a scheme of gradual abolition instead. The late Earl of Clarendon, however, looking to the character of the proposed arrangement and to the strong opposition manifested to the existing system in that House, came to the conclusion that Foreign Office agencies ought to be abolished not gradually but at once. The noble Earl announced his opinion on the subject to the present Board of Treasury, remarking that he did not think that, under such circumstances, compensation could in justice be refused. This system of agencies had existed in the Foreign Office almost from time immemorial, and as far back as the year 1785 a Commission appointed to examine into fees and emoluments of public offices recommended its discontinuance. The subject was considered by three Secretaries of State, and in 1795 the Privy Council arrived at the conclusion that the continuance of the system would not be productive of any inconvenience. As, therefore, the system had been accepted as part of the arrangements of the Foreign Office for the last 80 years, the Board of Treasury and his right hon. Friend the Chancellor of the Exchequer had decided that as the offices were to be at once abolished, compensation ought to be granted to the gentlemen who held them. A third of the sum of £2,552 was being taken on the Estimate.

MR. RYLANDS said, he must contend that the Foreign Office agencies were a system of levying black mail upon our Ministers and Consuls abroad. Mr. Layard had characterized the system as an abomination, and many other gentlemen of great official experience having condemned it, it was determined to abolish the agencies. The Committee ought not to regard the clerks in the Foreign Office as having any vested interests, as those gentlemen not only received ample salaries, but had no goodwill in the agencies; they had given no pecuniary consideration when they succeeded to them, and they would lose the profits of the agencies without any compensation on their being superannuated, or otherwise ceasing to be employed in the Foreign Office. The agencies were private speculations of the clerks, who became bankers and commission agents, and as the House had thought it right that they should cease to fulfil such functions the Committee ought not to be called upon to grant compensation.

MR. SACKVILLE-STOPFORD said, the question was not whether the system of Foreign Office agencies ought to be abolished, but whether the Secretary to the Treasury was justified in asking for compensation to be given to those whose occupations had been abolished? He denied the assertion that the agents levied black mail, as it was optional on the part of any Consul to have an agent. Compensation was always given in analogous cases connected with the public Departments. The amount asked for in the present instance was very small, and he looked on the Vote as a cheap mode of getting rid of the agencies. The service regretted that the system had come to an end.

MR. SOLATER - BOOTH said, he must state, in justice to the hon. Gentleman opposite (Mr. Rylands), that his opinion on this subject was not changed. There was no real ground upon which compensation for the loss of the post of Foreign Office agent could be charged on the public funds, because such offices had never existed for the benefit of the public. It was proposed that the individuals to be compensated should only receive compensation so long as they remained Foreign Office clerks; but in that case no Foreign Office clerk entitled to the compensation would ever resign. It would have been

far better to have offered a lump sum in lieu of a retiring allowance, and the measure of compensation ought to be the value of the business if disposed of to a private person. The opinion of the Foreign Office being in favour of the retention of these offices, why were they abolished? No action of the House had signified a desire for their abolition, although some observations might have been made by hon. Members. The right hon. Gentleman said Lord Clarendon thought them objectionable; but he was surprised to hear that, for a few weeks ago he had heard from that lamented statesman a contrary opinion. More than two years ago Lord Stanley, in accordance with a decision of the Board of Treasury, directed that no new business should be undertaken by Foreign Office agents. If that policy had been adopted in 1854, when Lord Clarendon first mooted the question, the whole system would now have been at an end; and, as a matter of equity, those agents who had taken new business within the last 16 years, had done so under notice. He was of opinion that the proper course would be to allow these agencies to die out.

MR. R. SHAW said, that the sum and substance of the case was, that the House was called upon to compensate gentlemen whom they had not appointed and whom they had not displaced.

Question put.

The Committee *divided*:—Ayes 70; Noes 52: Majority 18.

(14.) £8,450, to complete the sum for Learned Societies.

COLONEL SYKES said, he thought that the sum should be placed under the control of the Board of Trade, who should be made responsible to the House for its administration, and that £200 should be placed at the disposal of the Meteorological Society of Scotland.

SIR JOHN LUBBOCK said, it was most desirable that the whole sum should be under the control of one central authority. He hoped that before next year the form of the Vote would be changed. It might be supposed that the expenses of the learned societies were paid out of the grant; but those expenses were entirely paid out of the subscriptions of members.

MR. SOLATER-BOOTH said, he wished to call attention to the Vote for



the Royal Irish Academy of Music. He thought it was too little to place the institution in a satisfactory position, and he should like to hear some explanation on the subject.

MR. W. H. GLADSTONE said, that the Irish Academy of Music had in the course of recent years received certain expectations of assistance from the Government of the day, and that their application had been renewed this year. In considering how to meet it, the Treasury came to the conclusion that the best method would be to offer them £70 for two scholarships at the English Academy in London; thus following the advice of Lord Kildare's Commission, which condemned the establishment of independent institutions in matters of science and art, and laid great stress on the advantages resulting from the widest competition among the students. The offer was made in that view; but a representation had lately come from the Academy that it would be practically useless to them, as they could not find students willing to reside in London, and it was thus for the Treasury to consider what further steps to take. It appeared to them that, considering how small the grant was to the English Academy, it was not worth while to insist on the principle of centralization; and, recognizing the usefulness of the Academy in supplying the musical needs of Ireland, although the standard of instruction might not be so high as in the case of the English Academy, they thought that £150 would be a fair proportion to give as a direct grant in aid of the expenses of the Institution. The Academy, however, must not regard the grant as necessarily of a permanent character, as its continuance must depend on the good results they might be able to show.

*Vote agreed to.*

(15.) £221,172, to complete the sum for National Education in Ireland.

MR. MAGUIRE said, he would appeal to the Government to take into consideration the miserable rate of payment at present given to national schoolmasters in Ireland. There was no more respectable or meritorious body of men in Ireland, and members of all political opinions would be willing to join in this request. School-teachers in England were paid nearly three times as much as teachers in Ireland, 8,500 of whom received only the wages of ordinary labourers,

about 1s. 8d. a day; and in two cases, to his knowledge, female teachers in Ireland, after 30 years' service, were now paupers in the workhouse.

SIR JOHN GRAY hoped that action in the matter would not be deferred till the Government scheme of education for Ireland was matured. This class of schoolmasters numbered 10,000 persons, and their average wages were less than those of good artizans and policemen. Schoolmasters had in their hands the moulding of the opinions of the Irish rising generation, and it was of the first importance that they should be contented with their position.

MR. CHICHESTER FORTESCUE said, that the question, however important, could not be treated as an isolated matter, but must be considered with the other questions which would have to be decided in connection with Irish Education by the Government, who had only just received the Report of the Royal Commissioners. His hon. Friends might be assured that the Chancellor of the Exchequer and the Government would give the fullest attention to the case put before them, in the hope that they might be able to improve the condition of the national teachers of Ireland.

MR. RATHBONE asked whether the poor Irish schoolmasters were to remain perhaps for two or three Sessions more without their grievance being redressed?

*Vote agreed to.*

Resolutions to be reported.

The Clerk Assistant, at the Table, informed the House, That Mr. Speaker was unable to resume the Chair this evening.

Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Standing Order.

Resolutions to be reported *To-morrow*.

#### GLEBE LOANS (IRELAND) BILL.

(Mr. Chichester Fortescue, Mr. Stansfeld, Mr. Solicitor General for Ireland.)

[BILL 222.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(Mr. Chichester Fortescue.)

MR. NEWDEGATE said, he thought it was unreasonable to proceed with the Bill at that hour of the night, particularly as it was the last stage, and they had not as yet had an opportunity given them for discussing it fully. He, therefore, begged to move the adjournment of the debate.

MR. J. LOWTHER, in seconding the Motion, said, that on the previous night an exception was taken to the measure that it was one which approximated to concurrent endowment. Hearing that, he ventured to substitute for the phrase "concurrent endowment" that of "concurrent loan;" and he believed he should not be contradicted if he said that the loan was to be given upon terms much more favourable than those upon which it could be obtained in the open market. That was not denied: he should not be contradicted, therefore, when he declared that it was an advantage proposed to be conferred on the religious communities who would be entitled to avail themselves of the provisions of the Bill. He did not wish to prejudice the Bill, or to discuss whether it was advisable to make these advances; but, advisable or not, as they might be, he ventured to say that had the Bill been introduced at an earlier period of the Session, it would have provoked considerable discussion, and a determined, and possibly a successful opposition. ["Divide!"] The sounds which issued from the Treasury Bench must convince his hon. Friend the Member for North Warwickshire that there was no hope of getting the Bill dispassionately considered then: he trusted, therefore, that his hon. Friend would persevere with his Motion. But, before sitting down, he would indulge in a prophecy; and he asked Gentlemen opposite to treasure up the few words he was going to address to them, bold as they might be. The Bill, he presumed, would pass; and, after the lapse of a few Sessions, when they came to deal with the surplus revenues of the Irish Church, what would happen was this—"Here we have another opportunity of benefiting the Irish people. Debts have been incurred by these struggling religious communities; and, if you surrender them, you will be conferring an inestimable boon upon the people of Ireland." Thereupon Gentlemen seated behind the Minister will get up in their

places and say, that they are opposed to concurrent endowment; but, as the British taxpayer had been induced to enter into such a bad bargain, they will, for the purpose of assisting him out of it, propose that he shall receive back his money out of the revenues of the Irish Church. ["Oh, oh!"] When what he ventured to predict came to pass, he hoped the Gentlemen who cried "Oh!" would call to mind what he now said. He believed that the Bill was opposed to the general feeling of the country, and that it would not have been proceeded with had it been introduced at an early period of the Session. He urged his hon. Friend, therefore, to persist in his Motion.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Newdegate.*)

The House divided:—Ayes 16; Noes 60: Majority 44.

MR. J. LOWTHER moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. James Lowther.*)

Motion, by leave, *withdrawn.*

MR. CHICHESTER FORTESCUE said, he wished to explain that the Bill originally included loans for the building of places of worship; but that that provision had been struck out, and the Bill now applied solely to residences for ministers of religion. He also contended that ample opportunity had been given for the consideration and discussion of the measure; for the second reading was taken at a Day Sitting at 2 o'clock; but the hon. Gentleman the Member for North Warwickshire was absent.

MR. NEWDEGATE: The right hon. Gentleman has referred to my absence from the House on the second reading of the Bill; but that absence was perfectly unavoidable, and I certainly expected that an opportunity for discussion would have been given on the Motion for going into Committee; that, at all events, I should then have been permitted to say a few words on the Bill. The right hon. Gentleman at the head of the Government, however, made a most singular announcement with respect to the Bill. His right hon. Colleague the Chief Secretary for Ireland has explained that the Prime Minister declared last Session that a Bill of this



sort was to be brought in; but why, I ask, did he not introduce it at the commencement of the present Session? Surely, if there were such a solemn pledge given, it should have been redeemed at the earliest moment. But, instead of doing that, the right hon. Gentleman stated that he was so perfectly aware that the Bill was adverse to the feelings of the country that, unless it were introduced late in the Session, it was impossible for it to pass; and in that statement the right hon. Gentleman was supported by the hon. Member for Cork and the hon. Member for Edinburgh. I must say, then, that I think this is singular treatment of a great subject. The right hon. Gentleman is aware that, whatever may have been the declaration of the Prime Minister, the Bill is in direct contradiction of the policy upon which he obtained the support of the country at the last General Election. I had given my support in debate to the right hon. Gentleman against the right hon. Gentleman the Member for Buckinghamshire, and the Government of the Earl of Derby, when they proposed the endowment of a Roman Catholic University. I spoke before the right hon. Gentleman the President of the Board of Trade, and condemned the policy of establishing or endowing the Roman Catholic Church in Ireland, especially when the Protestant Church should have been disestablished. Now, Sir, I say distinctly that, although this measure comes before the House in the form of a Loan Bill, it is the fulfilment of the proposal of Bishop Moriarty, which was—that with a view to the establishment of that Church—I have the passage in his letter by me—facilities should be afforded, and money supplied for the provision of glebes for the Roman Catholic clergy. In a letter to the Roman Catholic clergy in Kerry, and then in communications to the right hon. Gentleman the Chief Secretary for Ireland, Bishop Moriarty dictated those terms; and the only difference between those terms and the substance of this Bill is that the advance of money is to be by way of loan, and not, in the first instance, as a gift. Sir, Bishop Moriarty intimated that these conditions would be acceptable to the Roman Catholic hierarchy; and, as to the repayment of these loans, I do not believe in it: they are to be provided to an unlimited extent out of funds which

Parliament has to vote for other purposes, amounting to more than £1,000,000 a year. There is, therefore, an ample fund to draw upon; and I say that the proposal is the accomplishment of that which Bishop Moriarty proposed; because every one of these glebes will be procured by the facilities which the Treasury will give. I distinctly and decidedly object to the substance of this Bill; but I will not go further into the matter at this time of night, after the House has virtually decided on a previous measure that it will not take contested business, for that is virtually the decision aimed at on the Enclosure Bill, and I will not damage the position which I hold by proposing the Motion of which I have given Notice, although, if any other hon. Member chooses to move it, I shall be happy to support it. I hold that the country has just reason to complain of the period at which the Bill has been introduced, of the substance of it, and of the manifest determination on the part of the Government not to afford more than one of those usual and fair opportunities for discussion; which the House has generally sufficient self-respect to insist upon and retain for itself under any circumstances.

Question put, "That the Bill be now read the third time."

The House *divided*:—Ayes 48; Noes 26: Majority 22.

Bill read the third time, and *passed*.

#### WAYS AND MEANS.

*Considered in Committee.*

(In the Committee.)

*Resolved*, That, towards making good the Supply granted to Her Majesty, the sum of £24,281,493 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Resolution to be reported *To-morrow*.

House adjourned at Three o'clock.

## HOUSE OF COMMONS,

*Wednesday, 3rd August, 1870.*

MINUTES.]—SUPPLY—considered in Committee—Resolutions [August 2] reported.

WAYS AND MEANS—considered in Committee—Resolution [August 2] reported.

PUBLIC BILLS—Ordered—First Reading—Consolidated Fund (Appropriation) \*.

First Reading—British Columbia \* [257].

Second Reading—Sale of Liquors on Sunday [57], put off.

*Committee—Report—Merchant Shipping Code\** [24-259]; *Sunday Trading* [68], *negatived*; *Foreign Enlistment* [228-258].  
*Considered as amended—Third Reading—Con-*  
*stabulary (Ireland)\** [241], and *passed*.  
*Third Reading—Meeting of Parliament\** [247];  
 Canada (Guarantee of Loan)\* [225]; Beer-  
 houses\* [248], and *passed*.  
*Withdrawn—Game Laws (Scotland)* [Mr. Loch]\*  
 [7].

#### SALE OF LIQUORS ON SUNDAY BILL.

(Mr. Rylands, Mr. Candlish, Mr. Birley, Mr.  
 Osborne Morgan.)

[BILL 57.] SECOND READING.

ADJOURNED DEBATE.

Order read, for resuming Adjourned  
 Debate on Question [29th June], "That  
 the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. ALDERMAN W. LAWRENCE  
 said, he believed it was the intention of  
 the hon. Gentleman the Member for  
 Warrington (Mr. Rylands) to press the  
 Bill forward. He, however, felt con-  
 vinced that there would be no chance of  
 success, and he thought the hon. Mem-  
 ber would meet the wishes of the House  
 if he were to withdraw the measure, re-  
 membering that the whole subject of  
 the licensing system was to be taken into  
 consideration by the Government next  
 Session. If the Bill now before the  
 House would suit certain districts, it  
 would be wholly unsuitable to other dis-  
 tricts, and particularly to the metropolis.  
 A measure which would close every  
 tavern, public-house, and houses for the  
 sale of refreshments, where beer or wine  
 was sold, could not be put in operation  
 in London by any Government. He ap-  
 pealed to the hon. Member to remain  
 satisfied, under the circumstances, with  
 having ventilated the question. He  
 moved that the Bill be read a second  
 time upon that day three months.

MR. LOCKE seconded the Motion.

Amendment proposed, to leave out  
 the word "now," and at the end of the  
 Question to add the words "upon this  
 day three months." — (Mr. Alderman  
 Lawrence.)

Question, "That the word 'now'  
 stand part of the Question," put, and  
*negatived*.

Words added.

Main Question, as amended, put, and  
*agreed to*.

Bill put off for three months.

#### MARRIED WOMEN'S PROPERTY BILL.

##### LORDS' AMENDMENTS.

Lords' Amendments *considered*.

MR. RUSSELL GURNEY said, that  
 he had to call the attention of the House  
 to the alterations, he wished he could say  
 the Amendments, made in the Married  
 Women's Property Bill in the House of  
 Lords. The Bill, in fact, as it had come  
 down from the other House was a new  
 Bill, and framed upon a different prin-  
 ciple from that which left this House.  
 This House had proceeded upon the be-  
 lief that the law by which a woman  
 forfeited her property by the act of mar-  
 riage was a bad law, and that great evils  
 sprang from it, affecting, though in very  
 different degrees, both rich and poor,  
 and had proposed to remedy these evils  
 by its repeal. In the other House, the  
 existence of these evils, especially as  
 affecting the working classes, was fully  
 admitted; but instead of repealing the  
 law, they had proposed to apply specific  
 remedies for the more glaring of the  
 evils, and he fully and gratefully ad-  
 mitted that, as far as related to the  
 working classes, who formed the most  
 numerous and most helpless class of the  
 sufferers under the present law, the Bill  
 would in its present form afford real  
 though not complete relief. He did not  
 indeed think that that relief was afforded  
 in the best form, and he feared that it  
 would be found to be attended with  
 greater danger of producing family dis-  
 cord than would the Bill which he had  
 himself introduced. He did not, how-  
 ever, hesitate to advise the House to  
 accept the Bill, as at that period of the  
 Session it would be vain to propose  
 any substantial Amendments, he should,  
 therefore, merely propose some verbal  
 Amendments which were necessary in  
 some of the clauses; and as the Bill was  
 now to have effect only in the case of  
 marriages contracted subsequently to the  
 passing of the Act, he should propose  
 that it should come into immediate  
 operation. He must, however, say that  
 legislation on this subject could not end  
 with this Bill, as there would yet re-  
 main much to be remedied, and prin-  
 ciples were admitted in the Bill in its  
 present form, which, unless it were to  
 be contended that bad husbands were to  
 be found only amongst the poor, must  
 lead to a fuller and more complete mea-  
 sure.



MR. DICKINSON said, he regretted that the House of Lords had not accepted the simple and just principle on which the Bill as framed by the Commons was founded. He thought that as the Bill as framed by the Lords effected a great improvement in the existing law, it would be wise to accede to their Amendments, and he hoped that before long the principle for which they contended would be acknowledged, and the law so altered as to secure to married women the right to their own property and earnings as fully as to men.

Lords' Amendments *agreed to*, with Amendments.

#### TRAMWAYS BILL.

##### LORDS' AMENDMENTS.

##### Lords' Amendments *considered*.

MR. SHAW LEFEVRE said, he rose to move an Amendment to the Lords' Amendment to the 5th clause. As the clause had been altered by the other House, it proposed that notice should be given to every occupier and owner of every house in any street of the intention to lay down a tramway; but he proposed that only the same notice should be given in the case of a Provisional Order as in the case of a Private Bill.

Page 3, line 30,

Leave out the words "according to the regulations contained in Part One of the Schedule B to this Act," and insert the words "and they shall, on or before the fifteenth day of the following month of December, serve a copy of such notice upon the owner and occupier of every house, shop, or warehouse abutting upon any road or upon the part of any road along which it is proposed to lay any tramway according to the regulations contained in Part One of the Schedule B to this Act annexed,"

the next Amendment, read a second time.

##### Amendment proposed,

To leave out from the word "serve" to the end of the Amendment, in order to add the words "notice of such intention in accordance with the Standing Orders (if any), of both Houses of Parliament for the time being in force with respect to Bills for the construction of Tramways,"—

(*Mr. Shaw Lefevre*.)

—instead thereof.

MR. ALDERMAN W. LAWRENCE said, he would support the Lords' Amendment. It was of great importance that the owners and occupiers of houses and shops in streets should have a voice

in the matter, and have an opportunity of stating whether they desired to have tramways laid down before their houses or not.

MR. CAWLEY said, he desired to support the Amendment of the Secretary to the Board of Trade (Mr. Shaw Lefevre). Under that Amendment every necessary protection would be given to owners and occupiers, and unless it were passed very great obstacles would be thrown in the way of the promoters of tramways.

MR. SHAW LEFEVRE said, that if the Lords' Amendment were maintained it would throw great expense upon the promoters of tramways, who would then proceed by Private Bills instead of by Provisional Orders. If it were found by experience that the notice to be given under his Amendment were insufficient it would be competent for the House to alter the Standing Order on the subject.

Question, "That the words proposed to be left out stand part of The Lords' Amendment," put, and *negatived*.

Question put, "That the words

'Notice of such intention in accordance with the Standing Orders (if any), of both Houses of Parliament for the time being in force with respect to Bills for the construction of Tramways,' be added, instead thereof."

The House *divided*:—Ayes 35; Noes 14: Majority 21.

Lords' Amendment, as amended, *agreed to*.

Clause 12 (Confirmation of Provisional Order by Act of Parliament).

MR. DODSON said, he wished to call attention to an extraordinary provision introduced by the Lords, the effect of which would be that the Bill when passed into law would prescribe the time at which the House of Commons would allow Bills to be introduced. At present the Standing Orders as to the time when Private Bills should be introduced might be suspended, and he submitted that the same liberty of action should be reserved with regard to Provisional Orders. The effect of the Lords' Amendment would in a measure make the time for allowing a Bill to be introduced dependent on the consent of the other House. It appeared to him that was not a position in which the House of Commons should be placed. He would therefore ask the House to disagree to the Lords' Amendment, and

he would undertake to move a Standing Order regulating the time when Bills for the confirmation of Provisional Orders should be introduced, and which would meet all the objects of the Upper House.

*Amendment disagreed to.*

MR. CAWLEY said, he would beg to move the omission of words from Schedule A, Part III. which were inserted by the Lords, and which seemed to him to interfere with local government. If these words were allowed to remain a few persons in a place might contravene the action of the representative body of the whole constituency.

*Amendment proposed,*

"Schedule A, Part III., to disagree to the last nine paragraphs commencing with the words 'where any such resolution,' page 33."—(*Mr. Cawley.*)

MR. GRAVES said, he would support the Motion. The Amendment of the Lords would upset municipal government, and would at the same time prove quite impracticable. The Town Councils fairly represented the various places where they sat, and the matter might fairly rest in their hands whether a tramway should be laid down or not.

MR. DODSON said, he concurred in the view which the hon. Gentleman had taken. The effect of the Lords' Amendment would be to deprive the Bill of much of its utility. The essence of the Bill was that the local authorities should, under certain conditions, have the power to agree to the construction of those rails.

MR. SHAW LEFÈVRE said, the House of Lords attached great importance to this Amendment; but if the House was of opinion that it should not be adopted, he would not oppose the Motion.

*Amendment disagreed to.*

Subsequent Amendments read a second time; several *agreed to*; several amended, and *agreed to*; several *disagreed to*.

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed."—MR. SHAW LEFÈVRE, MR. SECRETARY BRUCE, MR. DODSON, MR. SOLICITOR GENERAL for IRELAND, LORD JOHN HAY, MR. JAMES LOWTHER, MR. GRAVES, MR. GLYN, and MR. CAWLEY:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to Lords Amendments reported, and *agreed to*.

To be communicated to The Lords.

*Mr. Dodson*

# SUNDAY TRADING BILL.—[Bill 68.]

(*Lords.*) COMMITTEE.

Order for Committee read.

MR. J. G. TALBOT, in moving the Order of the Day for going into Committee on this Bill, said, that it had come down from the other House, and was in charge of the hon. Member for Frome (Mr. Thomas Hughes), who having gone on a lengthened tour to the United States, had requested him to take charge of it. It was a very different Bill from that of the hon. Member for Warrington (Mr. Rylands); it had been read a second time by a large majority, had repeatedly received the sanction of the House, and had passed the other branch of the Legislature; and it was supported by the Members of the present and of the late Governments, and almost all the prominent Members of the House. In order as far as possible to meet the views of some hon. Members who had hitherto opposed the measure, he was prepared to limit its application to the metropolis. If found to work well in London, it might afterwards be extended to other large towns.

MR. P. A. TAYLOR said, it would be quite impossible for him to allow that stage to pass without entering another protest against this measure, which would do nothing but mischief. The Bill professed to be framed in the interests of the trading classes, but it would prove most injurious to the humbler portions of those classes. It was founded on no principle; unsettled everything and settled nothing. It had been gravely said that the present war upon the Continent was a judgment upon the nations engaged in it for their non-observance of the Sabbath, and that similar judgments might be expected to fall on this country in the event of its refusing to adopt the principle of this Bill—a little piece of blasphemy in which only the very religious would permit themselves to indulge. The Hyde Park meeting on the subject had been sneered at, and the hon. Member for Frome (Mr. Thomas Hughes) said that the attendance consisted mainly of roughs, and that not thirty of those present had any idea of what was going on. But *The Times*, not usually very favourable to meetings in Hyde Park, had given a much more reliable account of the proceedings, and the chairman who pre-



sided at one of the many platforms on that occasion had written to him to say that all the speakers were representative men, and were attended by large personal followings. Since then, another large open-air meeting had been held in Whitechapel, which had also been described in *The Times*, with a suggestion that those who took part in promoting legislation of the character proposed would do well to make themselves acquainted with the sentiments of those whom such legislation would primarily affect. The magistrates of London, who knew far better the social requirements of the working classes than the hon. Member, were generally opposed to such measures. The Bill was essentially a class Bill, and a wanton attempt to oppress the poorer classes. It was said, indeed, that it would prevent the streets from being turned into menageries and flower gardens on Sundays; but let those who held such language go and look at the thousands of well-dressed persons in the Zoological Gardens. He held that it would be dangerous for the House of Commons to pass such a Bill; and that if they did pass it, they would soon afterwards have to repeal it. Were such a measure held to be necessary, it should be introduced by the Government, and not left to a private Member. He hoped the Government would interfere and stop the measure.

MR. BRUCE said, he hoped his hon. Friend (Mr. J. G. Talbot) would not press the Bill, which must give rise to lengthened discussion; and it was of great importance that the Foreign Enlistment Bill should be considered that day. He was very far from joining in the unmeasured denunciations heaped upon the Bill by the hon. Member who had just sat down. It was no objection to the Bill that it was not founded upon a more clearly defined principle. There could be no principle except on the one hand that of absolute observance of the day—which would be opposed to the practice of the country, to the provisions of existing Acts of Parliament, by which trading, to a certain extent, was legalized—or, on the other hand, that of total non-observance; and he ventured to think that the identification of Sunday with every other day in the week would give a shock to the moral and religious sense of the country. The only possible legislation on the subject, therefore, was

some Bill resembling that introduced by the hon. Member, and if the measure really excited that deep feeling of indignation described by the hon. Member for Leicester (Mr. P. A. Taylor), was it not remarkable that no metropolitan Member had come forward to express it? The general feeling of the metropolis, judging from the numerous deputations he had received, was that reasonable facilities should be given for such traffic as was absolutely necessary for the accommodation of the poor, but that securities at the same time should exist for the decent observance of the Sabbath. With respect to the public meetings mentioned by the hon. Member, he thought the truth lay midway between the conflicting statements. An official Report, on which he could rely, informed him that in Hyde Park about 1,000 persons attended the meeting specially, and about 2,000 of the ordinary occupiers of the Park on Sunday afternoons stood by to listen from motives of curiosity. Such a meeting could not be said, in any sense, to represent the feelings of the working classes of the metropolis. At the same time, as a vote of the House at this period of the Session would hardly carry that weight which was desirable, it would be judicious, he thought, in his hon. Friend (Mr. J. G. Talbot) not to press the Motion.

MR. TALBOT said, he did not feel at liberty to withdraw the Bill.

MR. WATKIN WILLIAMS said, he protested against the Bill, and would give the Bill his most strenuous opposition. In his opinion it was a class measure which would fall with unfair severity upon the poorer classes, and for that reason he would object to its passing.

MR. CANDLISH said, he was surprised to hear from the Secretary of State for the Home Department that, in consequence of many Members being absent from the House, he would not regard a decision upon the Bill as registering the true opinion of the House of Commons. He would remind the right hon. Gentleman that the Government had, only on the previous night, pressed forward a measure which was objected to by a large number of Gentlemen on both sides. The Bill had been pressed through by the determination of the Government; and he (Mr. Candlish) might

under the circumstances say with equal truth that, having been forced through in that way in a thin House, it did not record the proper opinion of the House of Commons. He hoped that if the Government did not undertake to bring in a Bill upon the subject of Sunday trading, the hon. Gentleman opposite would take the opinion of the House upon his measure.

Motion made, and Question, "That Mr. Speaker do now leave the Chair," put, and *negatived*.

#### SUPPLY.—REPORT.

Resolutions [August 2] *reported*.

#### NAVY INCREASE.—QUESTION.

Mr. R. W. DUFF said, in the absence of his hon. Friend (Sir James Elphinstone) he wished to ask the Secretary to the Admiralty, seeing that the Secretary of State for War has defined the amount of force by which the Army is to be increased, to state what increase he intends to propose to the Naval armament of the Country?

Mr. BAXTER said, there was no intention whatever of adding to the number of men in the Navy, as had been proposed in the case of the Army, as we already possessed an abundant supply of seamen and Marines. As to what increase it was intended to propose to the naval armament of the country, that was a question which, under present circumstances, he thought it would be prudent not to ask, but to place confidence in the Government. Certain changes would, no doubt, be made in the dockyards and elsewhere; but he was quite satisfied, from all that had transpired, that the House felt full confidence in the naval administration of the country; and, indeed, this confidence had been expressed on more than one occasion. He wished to take that opportunity of correcting a statement which had been made by the hon. and gallant Baronet the Member for Stamford (Sir John Hay), which had given rise to some misapprehension, and there was reason to believe, had also excited some degree of apprehension in the country. In the early part of this Session, there was laid on the Table of the House a statement of the coals at the various depôts at home and abroad.

*Mr. Candlish*

It so happened that the statement was dated the 31st of January. Hon. Gentlemen would recollect that the months of November, December, and January were exceedingly stormy, and the consequence was that the vessels which had been sent with coals to two of the ports, Malta and Gibraltar, were detained an unusually long time on the voyage. But the Admiralty were not singular in this misfortune. The same thing happened to the great steam companies and to merchants in the Mediterranean. But the consequence was that the depôts at Malta and Gibraltar were left for a few weeks with only some hundreds instead of some thousands of tons of coal. The hon. and gallant Baronet, in quoting the note appended to that Return, took good care to read only part of it; it certainly was his duty to have read the note in full, which stated that all these coals arrived the first week in February. At the present moment there were at Gibraltar 5,411 tons of coal, and 4,000 tons more were shipped, and in process of conveyance thither. At Malta there were 2,419 tons of coal, and there had been shipped 11,148. At Halifax there were on hand 2,347 tons of coal, and 7,787 had been shipped. At Bermuda there were on hand only 289 tons, but on their way out there were 3,902 tons. So that either on hand or on their way out to the foreign depôts referred to by the hon. Baronet there was actually a larger supply of coals than was ever provided for the fleet in the palmy days when the hon. and gallant Baronet himself was in Office. He had the authority of his right hon. Friend the First Lord of the Admiralty for the further statement he was about to make. His right hon. Friend had called on the Controller of the Navy and himself to report as to the state of supplies in the Dockyards, and as to the quantity of articles supplied under Vote 10, sec. 1, and he had the satisfaction of stating that every article taken in the Estimates this year had been bought, and the greater proportion of them brought into store. We had at this moment 15 or 18 months' supply of everything required for the British Navy. Under these circumstances, the Controller and he had advised the First Lord not to purchase a single article. With regard to victualling, they had a similar report to make. With one or two comparatively unimportant exceptions,



all the articles taken in the Estimate for the supply of the Navy had been already bought, and he was happy to inform the House that, upon their own figures, there was at this moment a saving of £35,000.

MR. R. W. DUFF said, that the Question which he had asked had reference merely to the additional money taken. And he really thought there ought to be, as far as the Navy was concerned, some explanation of what was going to be done with the £2,000,000 voted last night for naval and military purposes.

MR. J. LOWTHER said, he wished to obtain from the Secretary of State for War an answer to the Question which he had put on the previous day as to the exportation of horses from the United Kingdom. It was evident the right hon. Gentleman could have no knowledge of the fact of which he (Mr. Lowther) was informed, upon authority to which he felt bound to attach importance, though, of course, he could not speak from personal knowledge, that this was now proceeding at the rate of 1,000 horses a day. Authorities which the right hon. Gentleman himself would admit were likely to be well informed apprised him that from the port of Southampton alone about 100 horses were daily exported. His principal object was to draw the attention of the Government to the bearing of this state of matters upon the urgent question of remounts for our own cavalry and other branches of the service. The customary regulation price in the British Army for troopers was £30; but since the war began foreign agents were at liberty to go to £40, and if the war lasted for any time how could the right hon. Gentleman expect any longer to get for £30 what foreigners were prepared to buy at £40 and upwards? The way in which regiments were ordinarily supplied with horses was this—some one dealer was specially retained for a regiment, and he entered into engagements with breeders of horses and with other dealers in different parts of the country to supply him with horses at a certain rate; and of their studs the choice was given to him for the regiment—that was to say, horses of three years old might be selected by this dealer before they were exposed in open market. If it were not for this system he believed that very great difficulty would be experienced by

the Government in obtaining the horses which they wanted in the face of the circumstances he had mentioned. He knew one case in which a dealer, while buying horses for the Government, was offered £10 above the regulation price, to hand over the horses to a foreign agent for exportation to the Continent. It was on the ground not only of economy, but of public policy that he alluded to the formidable rivalry in the purchase of horses which was thus being set up between ourselves and foreign Governments. There was a provision in the Act of 1853 which enabled the Government in time of danger—not necessarily of war—to prohibit by an Order in Council the export of any articles which might be deemed likely to be required for our own service, and this power had been more than once acted upon. During the American War, for instance, the commodity of saltpetre was subjected to this prohibition. The supply of horses suited for military purposes was not unlimited, and how long was it supposed that the country could stand the drain of 1,000 horses a day? There were plenty of small, under-sized horses and harness horses not fit for cavalry or artillery, but he spoke of horses such as were needed for Her Majesty's service. There were some 22 cavalry regiments at home, and in each of these there had been a reduction of their strength by one-fourth. In one regiment that he knew of there had been a reduction of over 100. But latterly he understood that instructions had been forwarded to commanders of regiments not to cast any horses which could be made in any way available for service. Something had been said in a former debate as to our neutrality, and as to the export of horses being equally divided between the belligerents. But where one belligerent had undisputed command of the sea, it was a very one-sided argument to say that the market was open to both. In proof of this, he might mention that a large dealer in London had a contract for supplying the Prussian Government. He at once placed himself in communication with the representatives of Prussia in this country, and inquired whether he would be protected, as regards contraband of war, in his shipments of horses. He was told that he must land his horses on Prussian territory, and take upon himself the risk of their transmission. But

this dealer would have been far less shrewd than his class were popularly supposed to be, if he submitted to these terms. He abandoned the Teutons to their fate, and placed himself in direct communication with the Gauls, who said to him—"Hand your horses over in your own yard, we will take all the risks, pay money down, and there is an end of this transaction." He confessed that he entertained objections to the principle of placing restrictions upon exports, though he should not have any great difficulty in reconciling himself to a prohibition upon imports. Looking, however, to the serious drain of horses to which this country was being subjected, he hoped the right hon. Gentleman would take the matter into his serious consideration.

Mr. CARDWELL said, he regretted that, in the multiplicity of Questions addressed to him yesterday, he had omitted to answer this particular inquiry; but he believed he had already made a very full statement with regard to the cavalry regiments. He was quite aware that the price of horses had been raised by the war between the two belligerent countries, and he was afraid that the price of oats, of hay, and of all articles consumed in great quantities by both belligerents would be increased in like manner; but he was not, on that account, prepared to bring in a Bill to stop the exportation of those articles, or to proceed with that object by Order in Council. According to the hon. Gentleman (Mr. J. Lowther) a prohibition upon exports was objectionable, while a prohibition upon imports was not. A country, therefore, which exported everything and got nothing in return would be at the height of prosperity. Such certainly was not his idea of free trade. A good many stories about horses had been told in the course of these discussions, but his belief was that some "mares' nests" had been discovered. He certainly had never given any instructions, nor had he heard of any instructions being given to those responsible for the purchase of horses that they should take all the "screws" offered them, and make no selection at all. The real truth was that the Government were not prepared to prohibit these exports merely because, like other purchasers, they would have to pay a higher price for what they wanted. The trade of the country would have great reason to complain of the conduct of the

Government if a prohibition were imposed, and this class of property were thereby depreciated in value, merely that the Government might obtain the limited supplies which they required at a more moderate price.

ADMIRAL ERSKINE said, he did not propose to get up any discussion upon naval affairs; but he hoped that before the House separated for the Recess his right hon. Friend (Mr. Childers) would afford that explanation to which the House was entitled, and which it was scarcely respectful to withhold, as to the manner in which the sum of money that the House so liberally voted yesterday was proposed to be applied. He thought it necessary to make that remark, because he had observed, not only in that House, but in the public papers, a disposition to imagine that there were scarcely any preparations necessary to be made in the Navy. That opinion certainly was not shared by naval persons. He therefore hoped Her Majesty's Government would take an opportunity of informing the House what they proposed to do with the money voted for the increase of the Navy.

Mr. MACFIE said, he had been gratified at the explanation given by the Secretary to the Admiralty as to the supplies of coal at the different foreign depôts; but, under present circumstances, he thought it would be of great advantage if each of those depôts had two or three years' stocks of coal. If the store accommodation were not sufficient for that purpose it should be immediately enlarged. It had been said that full confidence should be given to the arrangements of the present Government, both as regarded the efficiency and economy of the service. He felt that confidence fully. But he hoped they would not allow considerations of economy in the slightest degree to interfere with efficiency. He hoped they would feel that the country trusted them to the fullest extent, and that they had only to ask and they should have whatever was necessary for the maintenance of the interests and the honour of the country, and the protection of our Colonies.

Mr. M. CHAMBERS said, he was glad to hear that more workmen were likely to be employed in the dockyards, and he would suggest that those men who, having been on the establishment, had been discharged with smaller super-



annuation allowances than they had been led to expect should be re-engaged. At present the men in the dockyards, and particularly those in the factories, were exceedingly discontented, because for some incomprehensible reason their wages had suddenly been reduced. If dissatisfaction were allowed to increase, the men would avoid the public service, and the country would be unable to employ any but the worst and lowest class of mechanics and labourers. It was false economy to be illiberal and ungenerous. At Keyham, the wages of the men in the factories had been reduced from 32*s.* or 33*s.* to 26*s.* or 27*s.* a week. What they wanted was that the rate of wages should be fixed and certain, in the same way as the salaries of men who had clerks' work to do. Those who managed the dockyards, but who resided in London, were not well-informed as to what went on, and the men complained of many capricious annoyances to which they were subject. For instance, at Keyham there were two classes of workmen, the dockyard men proper and the factory men. There were two gates which led from the dockyard, and suddenly there came out an order that the factory men should go out at the small gate, and the dockyard men at the large one. The consequence was that many of the factory men were obliged to walk a mile or a mile and a-half further than they had to do before in order to go home to their dinners, and if they had not time to go over the extra distance they were prevented, by what he must call a petty piece of pipe-clay, from enjoying the society of their families at meal times. The unsatisfactory reply given to the remonstrance of those who thus suffered was that they might change their residences, or cook their meals in a loft, where there were a copper and a furnace; but it was obvious that this would occasion increased expense and great discomfort. Another curious and almost incredible explanation of this vexatious order was that a similar arrangement existed at Chatham, where the factory men lived close to the gate they were allowed to use, and of course experienced no inconvenience from such a regulation. If the Lords of the Admiralty were to look into these apparently small matters, but real evils, and pay good wages, they would secure the best and steadiest workmen, and make

them contented and happy in the public service.

Resolutions agreed to.

# FOREIGN ENLISTMENT BILL.—[BILL 228.]

(*Mr. Attorney General, Mr. Solicitor General, Mr. Bruce.*)

## COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. NORWOOD said, that the constituency which he represented (Hull) was likely to be extremely affected by hostile proceedings on the part of any European Powers; unfortunately, there was no part of Her Majesty's dominions more likely to be injured by the contest now raging. He very much regretted that the Government did not bring in a Bill shortly after the Report of the Royal Commission in 1868, instead of waiting until war had been actually declared. Under the circumstances the Government ought not to do more than re-enact the present law with such amendments as might be necessary to meet cases like that of the *Alabama*; in other words, they might take greater powers than they had at present to stop the delivery and despatch of similar vessels. The Bill before the House was in many respects too stringent, but he trusted that considerable concessions would be made in that respect by the Law Officers of the Crown. He objected to the change of jurisdiction. Under the old Act it was the Court of Exchequer that had jurisdiction. It was now proposed by Clause 23, that the duty of deciding upon the forfeiture of a vessel should be given to the Court of Admiralty, in which the mercantile public had very little confidence. He objected that power should be given to any one Judge, without the aid of a jury, to try the question of forfeiture, involving, as it did, the intent of the person who fitted out the ship. That was a point which ought to be determined by a jury, and not left to the decision of any one man. As representing a mercantile community, he protested against the Bill. His constituents were already suffering great privations by the interruption to their trade, but they were willing to submit to a Foreign Enlistment Act, if only its provisions were not strained too much. It

should be remembered that neutrals had their rights as well as belligerents.

MR. VERNON HARCOURT said, he could not concur with his hon. Friend (Mr. Norwood) in his objection to Clause 23, which gave the Secretary of State power to refer the matter to the Court of Admiralty. He wished to advert to one point which had attracted a great deal of public attention. Complaint had been made that this Bill did not go far enough; that it only prohibited the exportation of ships of war, and did not interfere with the trade in contraband generally. Now, he wished to call special attention to the conduct and policy of that Power which, above all others in the history of the world, had been famous for the observance of neutrality—namely, the United States of America. There was a very important document on this subject—the Message of the President of the United States, issued in 1855, during the course of the Crimean War—which he desired to bring under the notice of the House. At that time the United States had to consider their conduct very carefully with respect to that war. They all remembered the painful circumstances which attended the recall of Sir John Crampton from the United States, on account of his connection with a transaction which, though he was sure nothing contrary to the law of the United States was intended by the British Government, gave the Americans reason to complain, and, no doubt, the conduct of England on that occasion was not to be defended. The President in his Message stated that it was the traditional and settled policy of the United States to maintain impartial neutrality during the wars which from time to time occurred among the Great Powers of Europe; but, notwithstanding the existence of hostilities, the citizens of the United States retained their original right to continue all their pursuits by land and sea, at home and abroad, subject only to the Law of Nations. That, in pursuance of this policy, the laws of the United States did not forbid their citizens to sell to either of the belligerent Powers articles contraband of war, or to take munitions of war or soldiers on board their private ships for transportation, though in doing so the individual citizen exposed his property or person to some of the hazards

of war. That the citizens of the United States had sold gunpowder and arms to all buyers without distinction; that their transports had been employed by England and France in conveying munitions of war and bringing home wounded soldiers; and that that involved no interruption of the friendly relations between the Governments of the United States and Russia. Such was the Message of the President, and it was to be observed that it went beyond the permission which was given to English subjects, because in our Foreign Enlistment Act the transport of troops and munitions of war to foreign belligerents was forbidden. He ventured to say that Her Majesty's Government, in declining to extend the scope of the Bill, not only acted upon a principle conformable to the Law of Nations, but were justified by the practice of those States which had been most careful to observe neutrality.

MR. JESSEL said, he regretted that the hon. Member for Hull should have expressed distrust or want of confidence in any individual Judge whatever. [Mr. Norwood was understood to disclaim any intention of doing so.] He regretted it the more because neither the Judge himself nor anyone in his behalf could possibly answer such an insinuation. In legislating Parliament could not inquire into the character of any member of the judicial Bench. There would be an appeal to the Privy Council in civil matters, and with regard to what the hon. Member had said about a jury, it was to be observed that criminal proceedings would still require a jury. In this country there was a large number of tribunals which decided upon matters of the greatest importance without a jury. He believed that questions involving three-fourths, at least, of all the property brought before the Courts were finally adjudicated upon by single Judges without the assistance of gentlemen in a box called a jury. One word as to the observations which had been made by the hon. and learned Member for Oxford (Mr. Vernon Harcourt). He was very sorry to hear quoted in that House as law the Message of any President of the United States. Such Messages were generally party productions, made and issued for party purposes, and with a view to the exigencies which might call them forth, and if we were to allow a

*Mr. Norwood*



Message issued by one President upon a particular occasion to be cited in our favour we could not in justice refuse to listen to a vast number issued by other Presidents which were decidedly not in our favour. Why, the hon. and learned Gentleman himself was obliged to admit that the Message from which he had quoted went beyond what, in our view of the Law of Nations, was lawful. Therefore, as a question of policy as well as of law, that Message was of no authority for us. He did not see why the Government should be precluded from entering into communications with other neutral nations upon this question, in order to extend the principles of this Bill to munitions of war. If Parliament wished now to give powers which, to some extent at least, exceeded those hitherto claimed by the Government, it must be admitted that, as the world went on, modifications in what was called the Law of Nations were admissible.

THE ATTORNEY GENERAL said, he must deny the right of the hon. Member for Hull (Mr. Norwood) to protest against this Bill as representing the mercantile class in this country, or as expressing their views. If there was one class more than another whose interests, if only properly understood, were involved in the success of the Bill, it was the mercantile body. There was none that had a greater interest in the preservation of peace. And yet that was the class whose interests the hon. Gentleman misrepresented. There was scarcely a single Member in the House who, seeing the evils of the present state of the law, did not desire to amend it. The hon. Gentleman had objected to the substitution of the jurisdiction of the Court of Admiralty for that of the Court of Exchequer. Now, he had some experience in this matter, and he believed that proceedings in the Court of Admiralty would be speedier, simpler, cheaper, and in every respect preferable.

Motion agreed to.

Bill considered in Committee.

(In the Committee.)

Clauses 1 to 3, inclusive, agreed to.

Clause 4 (Penalty on enlistment in service of foreign state).

THE ATTORNEY GENERAL said, he would propose to leave out the words "not being a British subject, within Her Majesty's dominions," with a view to

confine the prohibition to accept a commission or engagement, military or naval, in the service of any foreign State at war with any State at peace with Her Majesty, to British subjects.

Amendment agreed to.

THE ATTORNEY GENERAL said, he would beg to move in line 5, page 2, after the first word "or" to insert "whether a British subject or not within Her Majesty's dominions," the object being to prohibit any person, whether British subject or foreigner, from inducing another to take service from a foreign State.

MR. STAVELEY HILL said, it could not be intended that two or three Prussians meeting here and agreeing to go and fight against France should be within the penalties of this Act. The Amendment would meet a great part of the difficulty but not the whole of it.

MR. VERNON HARCOURT said, he thought that the Amendment would be quite satisfactory.

THE ATTORNEY GENERAL said, that if foreigners wished to recruit for a nation at war they must not do so in this country.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 5 to 7, inclusive, agreed to.

Clause 8 (Penalty on illegal shipbuilding and illegal expeditions).

MR. BOURKE said, he feared that the word "ship" would apply to vessels which were built without any intention of being used in war.

THE ATTORNEY GENERAL said, he could assure the hon. Member that it would apply only to ships which were to be used in military or naval operations.

MR. G. B. GREGORY said, the clause was intended to apply to ships to be employed in the service of foreign countries at war. He believed that it would include only ships of war. He thought the Government should endeavour in this clause to meet the case of vessels which were freighted from this country with coal, intended to be withdrawn from them for the use of the ships of war of a belligerent as it might be required. He considered that any friendly Power would have a right to complain if, when we were passing a Bill of this kind we did not prevent that which was to all intents and purposes a breach of the neu-

trality of this country. He would beg to move in line 21, after "ship," to insert—

"Either as a ship of war, transport, or for the conveyance of stores, coal, materials, or munitions to be used in the prosecution of hostilities."

MR. VERNON HARCOURT said, he hoped the Amendment would not be accepted, as it would open a controversy into which it was not desirable for us, as neutrals, to enter at the present moment. We could not as neutrals decide the question whether coal was contraband of war or not. It was the right of the Courts of the belligerent Power to decide themselves what was contraband of war. With regard to what had fallen from the hon. and learned Member for Dover (Mr. Jessel) as to the Message of the President of the United States being no authority, he might say that the practice of nations was laid down by their Executive Governments, and what they thus laid down must be regarded as binding precedents. Indeed, the policy of Washington in 1793 was the foundation of the whole of the modern practice on this point.

MR. STAVELEY HILL said, he also hoped the Amendment would not be agreed to. He would remind the Committee that this Act would furnish the text-book of our liabilities as neutrals, and it would not be wise of us to extend those liabilities.

MR. NORWOOD said, he was afraid the effect of the Amendment would be to prevent the export of coal to the port of a belligerent.

THE ATTORNEY GENERAL said, he thought the Amendment went too far. It was quite enough if we condemned a transport or store-ship, and it would depend on the facts of each case whether a particular ship was a transport or a store-ship or not. He must object to the statement of his hon. and learned Friend (Mr. Staveley Hill) that this Act would furnish the text-book of our liabilities to other nations. He (the Attorney General) had distinctly stated on the second reading that the Bill was brought in for the purpose of enabling the Government to maintain the honour, dignity, and neutrality of England, and not for the satisfaction of foreign countries.

Amendment, by leave, *withdrawn*.

Amendment proposed, at the end of the clause to add the words—

*Mr. G. B. Gregory*

"Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section if he satisfies the conditions following (that is to say):

"(1.) If forthwith upon a Proclamation of Neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done under the contract as may be required by the Secretary of State;

"(2.) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for ensuring that such ship shall not be despatched, delivered, or removed without the licence of Her Majesty until the termination of such war as aforesaid."—(*The Attorney General*.)

MR. VERNON HARCOURT said, he wished to express his satisfaction with the proposed addition to the clause, which to a great extent removed the difficulties he had felt on the subject of the shipbuilding trade.

MR. GRAVES said, he must take exception to the word "security" in the 2nd section of the Amendment, which seemed to mean a money security. It was a severe demand to ask for a money security. A personal bond or undertaking ought to be sufficient, and he would suggest that the word "undertaking" should be substituted for "security."

MR. RATHBONE said, he could not agree with his hon. Colleague's (Mr. Graves's) suggestion. They must trust these matters a good deal to the Government of the day, otherwise the object in view—namely, to prevent the escape of the ship—might be defeated.

MR. STAVELEY HILL said, he thought the shipbuilders might rely on the Secretary of State not wishing to exact a vindictive security.

Amendment *agreed to*.

Clause, as amended, *agreed to*.

Clause 9 (Presumption as to evidence in case of illegal ship).

MR. VERNON HARCOURT said, it was a very strong thing to seek to create by enactment a presumption in a criminal proceeding. What was a presumption? It was a moral conviction produced by the evidence of facts. Either the facts raised that presumption or they did not. If they did, an Act of Parliament was not required to do it; if they



did not, they could not create a moral conviction by statute. The mouth of a person who was indicted was shut, and yet it was proposed that they should create a legal presumption against him, even although he was probably the only person who could rebut that presumption. They might be so severe as to defeat their own object, and juries would not convict unless the facts themselves created the presumption.

MR. STAVELEY HILL said, he would suggest, in order to remove difficulties from the clause, that the words relating to the delivery of a ship to "the agent of a foreign State" should be altered to "any person who to the knowledge of the person building is an agent of such State."

THE ATTORNEY GENERAL said, he did not object to this Amendment. That clause was an important one, for although proof might be given in a Court which amounted to a moral certainty, there were some Judges — and he was not blaming them — who would say to the prosecution—"You have not sufficient legal evidence; you have not adduced the proof which is required by law, and therefore the defendant must be acquitted." This description of legislation was by no means new. It had been adopted in the case of Government stores and in other cases with great advantage. Supposing you proved that the builder had taken an order to build a ship for a country at war, if you went a step further and proved that the ship had actually been employed in war you had a *prima facie* case against the builder. Then what was the hardship on him? Could he not easily prove the circumstances under which he had taken the order? Were ships ever built without written contracts? If a ship were built without such a contract, that fact of itself raised a strong presumption against the builder. The object in view was very important, and he hoped the Committee would agree to the clause.

MR. RUSSELL GURNEY said, he admitted that the object in view was of great importance; but it was not unimportant that an innocent man should not be convicted. He thought that the presumption ought to be confined to cases of forfeiture of ships in which the builder of the ship could be examined. In a criminal proceeding against himself his mouth would be closed.

MR. RATHBONE said, he thought a fair solution of the difficulty might be found in giving the builder himself power to give evidence. He did not think, however, that innocent persons were at all likely to be proceeded against under this Bill, and he was of opinion that it would be better to err on the side of giving very stringent powers to the Court than on that of leaving an opening for disastrous breaches of the laws of neutrality.

MR. JAMES said, the clause was very stringent, and, with great respect to the hon. Gentleman who had just spoken (Mr. Rathbone), he must remark that when, in connection with the administration of the law, we spoke of too much stringency we referred to the amount of punishment. It never could be admitted that stringency was desirable in the sense of exposing innocent men to the chance of being convicted. A man might be prevented from calling witnesses. They might be abroad, where subpoenas would not touch them. The accused was to be acquitted if he proved that he did not know that the ship was to be employed in war; but how could he prove that negative.

THE SOLICITOR GENERAL said, it would not occur in one case out of a thousand, that the builder of a ship would have the smallest difficulty in proving what his contract was, and under what circumstances it was undertaken.

MR. RUSSELL GURNEY said, he would move, as an Amendment, to add the words—"except in any criminal proceeding," his object being to except from the operation of the clause cases in which the builder was put on his trial.

Amendment proposed, in line 39, at the end of the Clause, to add the words "except in any criminal proceeding."—(Mr. Russell Gurney.)

Question put, "That those words be there added."

The Committee *divided*:—Ayes 26; Noes 73: Majority 47.

Amendment *negatived*.

Amendment (Mr. Staveley Hill) *agreed to*.

Clause, as amended, *agreed to*.

Clauses 10 to 18, inclusive, *agreed to*.

Clause 19 (Jurisdiction in respect of forfeiture of ships for offences against Act).

MR. NORWOOD said, he thought due regard should be had to individual rights, and that important questions of fact relating to forfeiture and condemnation of ships ought to be decided by a jury in a Superior Court of Law. Although the Attorney General had denied his right to speak in that House on behalf of the commercial community, with reference to this subject he might say that he had been sent there by a constituency (Hull) which sustained important relations with all the European States, and that he should speak for that commercial community to the utmost of his ability as a humble Member, notwithstanding that the Attorney General was opposed to him on this great question. With regard to the clause under consideration he should take the sense of the House upon it.

MR. STAVELEY HILL said, he also strongly objected to the proposed removal of the jurisdiction to the Court of Admiralty. In the old Enlistment Acts no such clause as this was inserted, and he hoped the Committee would not ignore those impartial services of a jury which formed so valuable a consideration in carrying out a stringent law.

MR. VERNON HARCOURT said, as the only Member present of the Royal Commission which had considered this subject, he wished to say that the most important decision at which the Commissioners arrived was that of the question now under consideration. In their view the new system required to be placed under a new jurisdiction. The Court of Admiralty, having to decide questions of prize in time of war, was the best fitted to determine questions of neutrality. If this clause were omitted the Royal Commission would have sat in vain.

SIR JAMES ELPHINSTONE said, he thought that cases which involved the question of peace or war should be tried by one of the Superior Courts without a jury; but it was questionable whether any single Judge ought to decide momentous questions, such as those which might come under the operation of this Bill.

MR. RATHBONE said, he agreed with the hon. Member for Oxford (Mr. Vernon Harcourt) that this was one of the most vital clauses in the Bill.

MR. BOURKE said, he believed foreign nations would raise an objection

to these questions being tried by any but the ordinarily recognized tribunal for prize matters, and, if they were allowed to be determined by a jury, would say that they were going to be decided by passions and prejudices. He thought the clause ought to stand.

THE ATTORNEY GENERAL said, he wished to explain that the only matter on which he was at issue with the hon. Member for Hull (Mr. Norwood) was not that the hon. Member had not the right to represent his commercial constituents, but that he was not the representative of that class who approved of the Bill. The question before the Committee had been considered with great attention by the Commissioners, who were of great legal weight and authority, and who had come to a unanimous conclusion upon it, and he hoped their decision would not be reversed. The proceedings in the Court of Admiralty would be more summary and cheaper. His own experience of the Court of Exchequer determining questions of this kind had led him to believe that it was desirable that the present jurisdiction should be changed.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 105; Noes 14: Majority 91.

Clause *agreed to*.

Clause 20 *agreed to*.

Clause 21 (Officers authorized to seize offending ships).

THE SOLICITOR GENERAL said, the object of the clause was to prevent the escape of suspected ships from the harbours of the kingdom till the Secretary of State had been communicated with. The clause gave an *ad interim* power of seizure.

THE ATTORNEY GENERAL said, the object was to give power to any officer who saw a ship about to escape to prevent such escape.

MR. VERNON HARCOURT said, he thought the unnecessary multiplication of such powers only tended to increase the risk of quarrels with other nations.

SIR JAMES ELPHINSTONE said, he thought the powers given to officers were too extensive.

THE ATTORNEY GENERAL said, the officers named would be able to seize a vessel without special instructions, in



order that such vessel might not be allowed to escape. It was a most important power; but it was only to be used in case of emergency, and if any wrong was done by the seizure there would be compensation.

MR. WHALLEY said, he wished to ask, was such stringent legislation in practice in any country of the world?

THE ATTORNEY GENERAL said, the clause was copied from the Merchant Shipping Act, which had been in force for 20 years without any complaint.

Clause agreed to.

Remaining clauses agreed to.

Bill reported; as amended, to be considered To-morrow, and to be printed. [Bill 258.]

#### GAS AND WATER FACILITIES BILL.

Lords Amendments considered; several agreed to; one disagreed to.

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed."

—MR. SHAW LEFEVRE, Mr. Secretary BRUCE, Mr. DODSON, Mr. SOLICITOR GENERAL for IRELAND, Lord JOHN HAY, Mr. JAMES LOWTHER, Mr. GRAVES, Mr. GLYN, and Mr. CRAWLEY:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to Lords Amendment reported, and agreed to.

To be communicated to The Lords.

#### CONSOLIDATED FUND (APPROPRIATION) BILL.

On Motion of Mr. DODSON, Bill to apply a sum out of the Consolidated Fund to the Service of the year ending the thirty-first day of March, one thousand eight hundred and seventy-one, and to appropriate the Supplies granted in this Session of Parliament, ordered to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. STANSFELD.

Bill presented, and read the first time.

House adjourned at ten minutes  
before Six o'clock.

## HOUSE OF LORDS,

Thursday, 4th August, 1870.

MINUTES.]—*Sat First in Parliament*—The Lord Ranfurly, after the death of his grandfather.

PUBLIC BILLS—*First Reading*—Census (Scotland)\* (279); Glebe Loans (Ireland)\* (280); Post Office\* (281); Census (Ireland)\* (286); Meeting of Parliament\* (283); Canada (Guarantee of Loan)\* (284); Beerhouses\* (285); Corrupt Practices Act Amendment\* (282);

Constabulary Force (Ireland)\* (291); Militia Acts Amendment (293).

*Second Reading*—Public Schools Act (1868) Amendment\* (272); Real Actions Abolition (Ireland)\* (271); Petty Sessions Clerk (Ireland) Act (1858) Amendment\* (273); Matrimonial Causes and Marriage Law (Ireland) (276); Larceny (Advertisements)\* (158).

*Committee*—Turnpike Acts Continuance\* (252-292); National Debt\* (249); Statute Law Revision\* (250); Pedlars' Certificates\* (251). *Committee—Report*—Factories and Workshops\* (247); Gun Licences\* (241); Forgery\* (248); East India Contracts\* (189); Brokers (City of London)\* (268).

*Report*—Census\* (264).

*Third Reading*—Clerical Disabilities\* (254); Juries\* (246); Dublin City Voters Disfranchisement\* (237); Army Enlistment (269); Shipping Dues Exemption Act (1867) Amendment\* (233); Pier and Harbour Order Confirmation (No. 3)\* (228); Telegraph Acts Extension\* (206); Sewage Utilization Supplemental\* (230); Vestries (Isle of Man)\* (232); Extradition\* (211); Sanitary Act (1866) Amendment\* (253), and passed.

## MATRIMONIAL CAUSES AND MARRIAGE

LAW (IRELAND) BILL—(No. 276.)

(The Lord Dufferin.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD DUFFERIN, in moving that the Bill be now read the second time, said, that by the Act of last Session, by which the Irish Church was disestablished, it was enacted that after the 1st January, 1871, all jurisdictions of all existing Courts in Ireland, whether contentions or otherwise in any cause, suit, or matter, matrimonial, spiritual, or ecclesiastical, or in any way arising out of the Ecclesiastical Law of Ireland, should cease. It had therefore become necessary to make some provision in regard to suits pending at that date; for enforcing decrees already made; to provide for the due administration of the law in respect of matrimonial causes; and, further, to amend the law relating to marriages in Ireland. The present Bill, therefore, instituted a new Court to be called the Court for Matrimonial Causes and Matters; of which Court the Judge of the Court of Probate was to be the Judge, with authority to hear and determine all matters arising therein. To this Court all causes now pending were transferred, and to it power was given to enforce all decrees or orders previously made. An appeal lay from the Court to the Court of Appeal in

Chancery, and thence to the House of Lords. With regard to the amendment of the Marriage Law in Ireland, the Bill provided for the celebration of marriages between persons both of whom were Protestant Episcopalians, in the churches and chapels in which they might be lawfully solemnized before the passing of the Irish Church Act, or in any church or chapel to be hereafter duly licensed; and provision was made for the due registration of such marriages. Marriage licences might be issued by the heads of the different Protestant denominations in all cases where the parties were both members of the same denomination as the authority issuing such licence. With regard to "mixed" marriages, all former restrictions were swept away, and hereafter, provided certain conditions were observed, a marriage might be lawfully solemnized by a Protestant Episcopalian clergyman between a person who was a Protestant Episcopalian and one who belonged to another denomination, and by a Roman Catholic clergyman between a person who was a Roman Catholic and one who was not a Roman Catholic. Provision was further made for the contract of marriage before the Registrar between persons of any denominations, certain precautions being preserved.

*Moved, "That the Bill be now read 2<sup>a</sup>."*  
—(*The Lord Dufferin.*)

THE MARQUESS OF SALISBURY said, that this reform ought to have been made long ago. He wished to call the attention of the noble and learned Lord on the Woolsack, who recently stated that there were substantially only two denominations in Ireland, to the fact that this Bill enumerated about a dozen.

In answer to a noble Lord,

LORD DUFFERIN said, that the Chief Secretary had been in communication with the Master of the Rolls as to the future custody of records now in the hands of Irish ecclesiastical authorities; but there was no immediate necessity for dealing with the matter. It was thought better, after further inquiry, to legislate with regard to all documents requiring to be placed in proper custody.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House To-morrow.

*Lord Dufferin*

# ARMY ENLISTMENT BILL—(No. 269.)

(*The Lord Northbrook.*)

THIRD READING. BILL PASSED.

Bill read 3<sup>a</sup>, with the Amendments.

LORD NORTHBROOK proposed the following new Clause:—

(Service of notices on reserve forces.)

"The Secretary of State may require the police throughout the United Kingdom to serve within their respective districts any notices he may desire to be served on any members of the reserve forces in such district; and all officers and men of every police force shall conform to the orders of the said Secretary of State in relation to the service of such notices. 'The reserve forces' shall mean the army reserve, the militia reserve, and any other reserve forces as defined by Act of Parliament, also the militia, yeomanry, volunteers, and any other land forces whatever within the United Kingdom, serving or liable to be called upon to serve Her Majesty in any military capacity and not forming part of the regular army."—(*The Lord Northbrook.*)

THE DUKE OF RICHMOND said, he thought the proposed clause in many respects objectionable. In the first place, the police being under the orders of the chief constable, who was under the direction of the Home Secretary, might receive through that channel orders conflicting with those of the Secretary for War. Where, moreover, the force was small, it would be inconvenient to take the police away from their proper duties: again, it was not proposed to remunerate them for serving these notices. He thought some other mode of serving these notices might be devised.

EARL DE GREY and RIPON said, the Secretary for War would naturally communicate with the Home Office. The police could already be employed by the Lord Lieutenant in serving Militia notices; and in a case of great emergency it was most desirable that the Government should be enabled to avail themselves of the most ready and effective means which the organization of the country afforded.

THE DUKE OF RICHMOND decidedly objected to the order for calling out the Reserve Forces being issued to the police by the Secretary for War. If the police were the proper persons to serve the notices, they should be put in action by the Home Secretary, who would communicate with the chief constable, otherwise the discipline of the force would be at an end.

THE EARL OF POWIS objected to an Imperial charge being thrown on the county ratepayers.



LORD NORTHBROOK said, he was willing to alter the clause so as to provide that the directions were given through the chief constable. It was a matter of importance to have a prompt mode of summoning the men who would have to be called out under this Bill, and rather than go through the forms of the War Office applying to the Home Office, and the latter to the Lords Lieutenant and so on, causing great delay, he considered it was better to give to the War Office power through the police force to serve the notices. A great saving of time would be effected thereby. If any additional expense were thrown on the counties and boroughs by the proposed change, which he did not anticipate, he was sure means would be found to reimburse them.

THE EARL OF ROMNEY considered the notices should be sent through the Lords Lieutenant to the magistrates' clerks, and by them to the parish constables to be served.

THE EARL OF KIMBERLEY said, that the plan proposed by the Government was by far the best. With regard to the parish constables, he confessed that he looked with very little respect on those ancient and time-honoured functionaries, and should be sorry to entrust to them any matter of importance, whether as respected the Army or anything else.

THE DUKE OF RICHMOND said, he had no objection to the clause as amended.

Clause agreed to.

Bill passed, and sent to the Commons.

#### MILITIA ACTS AMENDMENT BILL.

(The Lord Northbrook.)

BILL PRESENTED. FIRST READING.

LORD NORTHBROOK, in accordance with the promise made the other evening in the discussion on the Bill introduced by the noble Earl near him (Earl Russell), presented a Bill to amend the Acts relating to the Militia of the United Kingdom. The Bill provided that in case of imminent national danger or of great emergency, the occasion being first communicated to Parliament, if Parliament should be then sitting, or if not by Proclamation, it should be lawful for Her Majesty to cause the whole or any part of the Militia of the

United Kingdom to be drawn out and embodied, or to cause additional Militia to be raised, according to the provisions of the existing Acts; but regard was to be had to the conditions under which any man had already enlisted. In the event of this Act being acted upon, it was provided that Parliament should be called together within 10 days of the date of the Proclamation calling out the Militia.

Bill read 1<sup>st</sup>; to be printed; and to be read 2<sup>d</sup> To-morrow. (No. 293.)

House adjourned at a quarter past  
Six o'clock, till To-morrow,  
Eleven o'clock.

### HOUSE OF COMMONS,

Thursday, 4th August, 1870.

MINUTES.]—PUBLIC BILLS—Ordered—First Reading—Oaths of Allegiance on Naturalization \* [261].

Second Reading—Consolidated Fund (Appropriation); Ecclesiastical Titles Act Repeal [231]; British Columbia \* [257].

Committee—Report—Foreign Enlistment (re-comm.) [258]; Stamp Duties (re-comm.) [256]; Stamp Duties Management \* [220]; Inland Revenue Acts Repeal \* [146]; Truck Commission \* [252]; Expiring Laws \* [253]; Sanitary Act (Dublin) Amendment [254]; Queen Anne's Bounty (Superannuation) [114]; Joint Stock Companies' Arrangement [143].

Considered as amended—Foreign Enlistment (re-comm.) \* [258].

Third Reading—Passengers Act Amendment \* [251], and passed.

Withdrawn—Prayer Book (Tables of Lessons) \* [230]; Inclosure [206].

### CONSOLIDATION OF ECCLESIASTICAL LAW.—QUESTION.

MR. SALT said, he would beg to ask the Secretary of State for the Home Department, If it is the intention of the Government to introduce next Session any Measure for the reform or for the consolidation of the Ecclesiastical Law?

MR. BRUCE, in reply, said, there was no present intention on the part of the Government to bring in any such measure.

### METROPOLIS—TEMPLE BAR. QUESTION.

MR. LAMBERT said, he would beg to ask the honourable Member for the City of London, Whether it is the intention of the authorities to remove the

obstruction "Temple Bar," which contracts one of the principal thoroughfares in the Metropolis to such an extent that only two carriages can pass abreast, and has been the annoyance and loss of time to the community for ages past?

MR. ALDERMAN W. LAWRENCE, in reply, said, it was true that at Temple Bar there was only room for two lines of carriages, as it was situated at the narrowest part of Fleet Street. There was at the present moment a large amount of traffic passing under Temple Bar, which would be much increased during the building of the new Courts of Justice, and still further increased when they were opened. The traffic was also impeded by the cross traffic to and from Chancery Lane. Mr. Street, the architect of the new Courts of Justice, in accordance with instructions from the Royal Commissioners, sanctioned by the Treasury, provided in his original design for the removal of Temple Bar, the widening of Fleet Street at that point, and the erection of a new Temple Bar bridge, with a wide archway, which should form a communication between the Temple and the new Law Courts. This scheme the City of London was, he believed, prepared to accept. The present Temple Bar was erected by Sir Christopher Wren, and its removal without at the same time widening Fleet Street would not facilitate the passage of traffic, as there would still only be room for two lines of carriages.

#### SCIENCE EXAMINATIONS IN MAY.

##### QUESTION.

MR. DIXON said, he wished to ask the Vice President of the Committee of Council on Education, Whether he has received numerous complaints from the teachers regarding the science examinations in May last; and, whether these complaints have just foundation?

MR. W. E. FORSTER: Sir, out of about 930 science teachers whose classes were examined this year, I have received about eight written complaints. I believe some dissatisfaction has also been expressed verbally. The complaints relate almost entirely to two subjects—practical geometry and building construction, and I cannot find that they are based on just grounds. We do not believe that the examination papers were too difficult, and, in fact, the

*Mr. Lambert*

standard of marks in building construction was specially lowered this year. We had, however, found that the pupils were prepared to meet a purely drawing examination rather than one requiring a scientific knowledge, and we therefore made a change in the form of examination, of which full notice was given in the syllabus. At the same time, the teachers were enabled to obtain payments for their students under the Art grants for the purely drawing portion of their instruction.

#### TRADES UNION BILL.—QUESTION.

MR. ANDERSON said, he would beg to ask the Secretary of State for the Home Department, Whether before the close of the Session he can give the working classes of the country an assurance that the Trades Union Bill will be made one of the earliest and most prominent Bills of the next Session?

MR. BRUCE: Sir, I have no hesitation in assuring my hon. Friend that it will be the duty of the Government to introduce a Trades Union Bill early next Session.

#### ARMY—THE ARTILLERY IN INDIA.

##### QUESTION.

CAPTAIN BEAUMONT said, he wished to ask the Under Secretary of State for India, If the usual six months' compensation has been refused to the Inspectors and Brigade Majors of Artillery in India whose five years' appointments have been abolished, their duties being of a regimental character, and entitling them to the above compensation, granted to other regimental officers under similar circumstances; and, if so, why the compensation has been refused?

MR. GRANT DUFF: Sir, in reply to my hon. and gallant Friend I can only say that we have not even heard of any compensation having been asked for by the officers whose appointments have been reduced, much less of its having been refused.

#### ARMY—DIRECT COMMISSIONS.

##### QUESTION.

CAPTAIN STACPOOLE said, he would beg to ask the Secretary of State for War, Is it true that there are at the present time 600 or more young gentlemen undergoing their examination for Direct Commissions; and, if



so, as a large number of them must be rejected, will they be allowed to have the usual two more trials, as laid down in the Regulations, provided they do not exceed the ages also laid down; and, if so, when will those who are rejected be informed when they may expect to be called upon to undergo their examinations?

MR. CARDWELL: Sir, I am not prepared to give any pledge in respect of future examinations until the result of this examination and the prospect of commissions for those who pass out shall be ascertained.

BAVARIA—FRENCH LEGATION AT  
MUNICH.—QUESTION.

MR. RYLANDS said, he wished to ask the Under Secretary of State for Foreign Affairs, If his attention has been called to a telegram in "The Times" of Monday to the following effect:—

"Munich, July 30. Considerable surprise is expressed here at M. Hory, the Chancellor of the French Legation, remaining in Munich, and at the British Legation taking him under their protection on the pretext of his having entered their service;"

and, whether he is able to give any explanation of the circumstance alluded to?

MR. OTWAY, in reply, said, if considerable surprise was expressed at Munich in consequence of the occurrence to which his hon. Friend's Question referred, it must have been because persons were not aware of the circumstances; they were very simple. The French Government and the Bavarian Government, after the declaration of war, mutually agreed that the Chancellor of the Legation should remain. The Chancellor of the Bavarian Legation accordingly remained in Paris, and the Chancellor of the French Legation remained at Munich. The explanation of the circumstance of the Chancellor of the French Legation being taken under the protection of the British Minister there was simply this—when war was declared the French Government applied to Her Majesty's Government to undertake the protection of French subjects remaining in Germany. And Her Majesty's Government allowed its agents to accept the charge on condition that they should be free to exercise the same protection in regard to German subjects in France, if requested to do so.

ARMY—MILITIA OFFICERS.

QUESTIONS.

COLONEL GILPIN said, he wished to ask the Secretary to the Treasury, When the present mode of taxing Mounted Officers of Militia for horses kept for the public service is likely to be remedied?

MR. STANSFELD said, he believed that the commanding officers—not all officers of Volunteers—were entitled to claim exemption, while commanding officers of the Militia had not that right. The distinction was without justification, but required legislative action to remedy it.

ARMY—QUARTERMASTERS OF  
MILITIA.—QUESTION.

COLONEL CORBETT said, he would beg to ask the Secretary of State for War, Whether, considering the probability of the embodiment of the Militia at no distant day, he is prepared to adhere to his arrangements for reducing the Quartermasters of that branch of the Service; also, whether there is any objection to complete the equipment of the Militia in breech-loading Rifles immediately from the three hundred thousand now in store?

MR. CARDWELL: Sir, embodied regiments have quartermasters, and whenever Her Majesty's Government contemplate the embodiment of any portion of the Militia provision will be made accordingly. I have stated before that I have already armed the greater part of the Militia with breech-loaders, and that I intend to take immediate steps for completing the equipment of the Militia with the same arm.

ARMY—VOLUNTEERS—ADDITIONAL  
CAPITATION GRANT.—QUESTION.

COLONEL C. LINDSAY said, he would beg to ask the Secretary of State for War, If he will re-consider his proposal in reference to the additional Capitation Grant to the officers and non-commissioned officers of the Volunteer Service, for the following reasons:—1st. Because it cannot take effect at this late season of the year, and will therefore be useless as a guide in framing the Volunteer Estimates for 1871; 2nd. Because it appears to be based upon an erroneous calculation that there are three officers in

every corps or company even of eighty men; 3rd. Because if carried into effect it would throw an undue responsibility upon an important body of men who are obviously difficult to obtain; and, 4th. Because it would be a source of embarrassment to commanding officers who are responsible for the financial condition of their regiments and corps; and, whether it would not be advisable to institute a more practical inquiry into the necessary expenses entailed upon Volunteer Regiments, with the view of arriving at some more satisfactory conclusion to the Service in general?

MR. CARDWELL: Sir, I cannot admit that the inquiry has not been practical, since it was instituted in communication with a large number of Volunteer officers, who admitted that the items were, except in some few particulars, sufficiently comprehensive, and the amount was arrived at upon a comparison of a large number of the actual accounts of some of the principal corps in the country. I have already said that the Regulations are in a forward state, and I hope to issue them very shortly.

#### BRAZIL—BRITISH CLAIMS.

##### QUESTION.

MR. ANDERSON said, he wished to ask the Under Secretary of State for Foreign Affairs, If any arrangement has yet been made for settlement of the Claims of British Subjects against Brazil, and what prospect there is of any?

MR. OTWAY, in reply, said, that this subject had been under the consideration of the Foreign Office. It was not unattended with difficulty; but he hoped to be able to make some proposition to the Brazilian Government on the subject.

#### ARMY—REVISED DRILL BOOK.

##### QUESTION.

MR. ACLAND said, he would beg to ask the Secretary of State for War, How soon the Revised Drill Book, stated to have been "sanctioned several months ago for experimental use" in five specified Regiments and now finally approved, will be generally accessible to Commanding Officers and Drill Instructors; and whether, the prior publication of a work called "A Key to the Field Exercise and Evolutions of Infantry, as re-

vised in 1870," of which a second edition is now "offered to the Military public," has taken place with the cognizance and sanction of any Military authority?

MR. CARDWELL: Sir, the Revised Drill Book has been approved of by the Field Marshal Commanding in Chief, and is now ready for binding. It will be accessible to commanding officers as soon as a sufficient number can be bound. The 1st Battalion of the Coldstream Guards and four Line regiments have already got it. The key alluded to has not been issued by authority; but the authorities at the Horse Guards have been cognizant of its issue, and consider it a very useful publication.

#### FACTORIES AND WORKSHOPS ACT.

##### QUESTION.

MR. MELLOR said, he would beg to ask the Secretary of State for the Home Department, Whether Sub-Inspectors of Factories are authorized to request Boards of Guardians in the manufacturing districts to appoint Police Constables Inspectors, for the purpose of enforcing the provisions of the Factories and Workshops Act; and, whether Boards of Guardians can legally make such appointments, the Police not being subject to their control?

MR. BRUCE said, in reply, that a Sub-Inspector of Factories did ask a Board of Guardians to appoint an Inspector. This was an error on the part of the Sub-Inspector of Factories, and he had been so informed by Mr. Redgrave. Boards of Guardians were, in no case, the local authority, nor had they power to appoint a police-constable to enforce the statutes. The local authorities in boroughs were the Common Council, in districts where there were local Boards of Health these local Boards, and in country parishes the Vestries, but never the Boards of Guardians.

#### CONSULAR JURISDICTION IN SIAM.

##### QUESTION.

SIR CHARLES W. DILKE said, he wished to ask the Under Secretary of State for the Colonies, Whether, considering that by the terms of the Treaty between Great Britain and Siam, it was agreed that British subjects guilty of crimes in the latter country should be



punished by our Consul, and considering that without the consent of the Siamese certain jurisdiction in such matters has been transferred to Singapore, distant 865 miles from Bangkok, and that hardships arise from the transfer, it would not be possible that one of the Judges in the Straits Settlements should make a circuit to Bangkok after the practice followed in China?

MR. MONSELL said, in reply, that he had submitted his hon. Friend's Question to the Foreign Office, and was informed that the right of appeal to the Singapore Court was given by the Order in Council of July 28, 1856, and had been in existence from that time to the present without any objection being made to it by the Siamese Government or by litigants in Siam. The Return laid before Parliament on the 14th of February last showed that the right of appeal had not been exercised during the 10 years 1859 to 1868. The case was altogether different to that of China, where at Shanghai there was a thriving British mercantile community and an established Bar. To send a Judge from Singapore to Bangkok on circuit in pursuit of appeals would unnecessarily encourage litigation and be a great expense. Moreover, it was doubtful whether a Judge could be spared, or would be willing to make such a journey. By the terms of the Treaty British jurisdiction in Siam was limited to the Consul, and could not be exercised by a Singapore Judge without further international agreement with Siam and a fresh Order in Council. In short, neither the Siamese Government nor British merchants had expressed any wish for a local Court of Appeal, and there was, as far as Her Majesty's Government were aware, no foundation for the statement that any hardships arose under the present state of Consular jurisdiction in Siam.

#### ARMY—ROYAL HORSE ARTILLERY.

##### QUESTION.

MR. OSBORNE said, he would beg to ask the Secretary of State for War, Whether, under present circumstances, the dépôt of the Royal Horse Artillery at Canterbury, the Vote for which had been omitted from the Estimates that year, will be re-established?

MR. CARDWELL: No, Sir; there is no such proposal.

#### THE NEW FOREST.—QUESTION.

MR. COWPER-TEMPLE said, he wished to ask the Secretary to the Treasury, Whether pending the decision of the Government on the application of the rights of the Crown in the New Forest, it is not expedient to authorize the Commissioners of Woods and Forests to abstain from destroying ancient picturesque woods for the purpose of replanting them with saplings; and if this is not a sacrifice of present value for a doubtful prospect of future returns?

MR. STANSFELD said, in reply, that there was no intention on the part of the Commissioners of Woods and Forests, or of the Treasury, to destroy the ancient and picturesque woods of the New Forest. Such a proceeding, in their opinion, would be both barbarous and unprofitable.

#### BRITISH GUIANA — DEMERARA COMMISSION.—QUESTION.

MR. MORRISON said, he wished to ask the Under Secretary of State for the Colonies, Why the opening of the Commission to inquire into the treatment of the Coolies in the Colony of Demerara has been postponed; whether it is true that the Judge Advocate of Bengal has been retained by the Planters as their Counsel; and, whether the Government approve of a Law Officer of the Crown holding a brief for private parties in an inquiry of this nature?

MR. MONSELL said, in reply, that the opening of the Commission had been postponed on account of difficulties as to its composition. It was now complete, and either was already or would be immediately at work. The Advocate General of Bengal had been retained by the planters as their counsel, and Her Majesty's Government, although they did not forbid him to act, to prevent any evil consequences from his doing so had desired the Governor of British Guiana to make known publicly that English Law Officers took briefs from private individuals, and that the Advocate General in no way represented either the Imperial Government or the Government of India. An experienced Indian officer had been appointed a Commissioner, and he did not anticipate any evil consequences from the Advocate General's position, but would take care

to prevent any misapprehensions arising from it in the minds of the Coolies.

#### POST OFFICE TELEGRAPHS.

##### QUESTION.

LORD GARLIES said, he wished to ask the Postmaster General, Why the telegraph wires have not yet been erected between Wigtown, Whithorn, Garlieston, the Isle of Whithorn, and Port William; and when there is any prospect of their being commenced and completed?

MR. STANSFELD said, in reply, that the wires referred to could not be laid down at present, on account of work of a more pressing character, and though there would be no unnecessary delay, he was unable to assign a date when they would be laid. The wires, however, would not go direct from Wigtown to Port William, as the noble Lord seemed to anticipate.

#### TREATIES OF 1815.—QUESTION.

MR. T. B. POTTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there will be any objection to lay on the Table of the House a reprint of the Treaty of Paris in 1815, and also the Supplementary Treaty of the same date for the exclusion of the Buonaparte family from the Throne of France, whereby England and other Countries were bound to use force in certain events; also, whether he will produce Copies of the Protocol defining the territories to be ceded by France, under the Treaties aforesaid?

MR. OTWAY: Sir, the Treaties to which my hon. Friend alludes are in the Library of this House, and are, therefore, accessible to hon. Members. But I may add that this is not the reason why I must decline to reprint and lay these Treaties on the Table at the present moment. Since the date at which they were signed this country has wisely determined not to interfere in the choice of the French people as regards their form of government, or the rulers whom they may appoint. And, therefore, as the Treaty has for the last 18 years practically been a dead letter, it is unnecessary to reprint it.

#### CONSOLIDATED FUND (APPROPRIATION) BILL.

##### SECOND READING.

Order for Second Reading read.

MR. STANSFELD, in moving the second reading of this Bill, said, that its form had been simplified and condensed. For instance, instead of having a different clause for each Schedule, all the Schedules were covered by one clause. No point of principle, however, was involved in the changes.

SIR JAMES ELPHINSTONE said, he had intended that evening to call attention to the naval portion of the Vote recently sanctioned. Understanding, however, that the First Lord of the Admiralty was unable, from causes which the House must very much regret, to be in his place on that occasion, he would beg to give Notice that to-morrow, on going into Committee, he should call attention to the state of the Navy in general, to its stores, and to the condition of the dockyards in connection with the present aspect of European affairs.

Motion agreed to.

Bill read a second time, and committed for To-morrow.

#### ECCLESIASTICAL TITLES ACT REPEAL BILL.—[BILL 231.]

##### [Lords.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Secretary Bruce.*)

MR. NEWDEGATE: Sir, I hope that Her Majesty's Government do not expect that the House will accept this Bill without discussion, simply because it has been sent down to us from the House of Lords. Without wishing to impugn their Lordships' judgment, I think that there are circumstances connected with this Session, and with the present period — circumstances which have transpired in the course of a very few days — which render it necessary that the House should, at all events, consider the provisions of a Bill which purports to alter, if not to reverse, a settlement with respect to the claim of the Papacy to exercise jurisdiction in this country, that was made with the full concurrence of the great body of the English and Scotch people in the year



1851. Now this Act of 1851 is, it may be said, a merely declaratory Act; because the law of this country from the most ancient period, according to the testimony of William the Conqueror himself, vindicated the independence of the civil power against the pretensions of the Pope of Rome. Hon. Members of this House, who consider this subject either beneath or above their comprehension, and therefore unworthy of their study, may possibly conceive that it is as well that his Holiness should have full scope to assume for his Bishops any titles that he chooses to confer upon them, and to arm them with any powers that he may think fit, provided it is understood that obedience to this usurped authority is limited to the Roman Catholic community. Sir, I regard that as a short-sighted view, for we have evidence enough in this House, from Session to Session, that the representatives of the Roman Catholic community exercise, at least, their full share of influence upon the legislation which is intended to govern the people of the United Kingdom. With this short preface, and feeling the disadvantage under which I rise, I will now proceed to call the attention of the House to the nature of this Bill. The statute of the year 1851 prohibited, under penalties, the assumption of territorial titles by the Archbishops and Bishops of the Church of Rome; assumed in obedience to the Papal brief of the 29th of September of the previous year, by which the Pope of Rome undertook to parcel out this country into dioceses, to be governed, as the expression is in his brief, by his own nominees. Well, Sir, a Committee of this House was appointed two Sessions ago to consider this statute of 1851, which imposes penalties upon the assumption of these titles, or the acceptance of these titles, in the Roman Catholic sense, as connected with jurisdiction—a jurisdiction which, according to the evidence given before a Committee of this House by Dr. Moriarty in 1851, the Pope claims to exercise, and is only prevented from enforcing by the refusal of the temporal power of this country to furnish him with officers and instruments for its exercise. Such is the substance of the evidence which was given by Dr. Moriarty. In the Committee to which I refer a Report was proposed by the right hon. Gentleman the Member for

the University of Cambridge, and he suggested that no sufficient grievance had been alleged to justify the repeal of the statute of 1851. An hon. Member for an Irish constituency was in the Chair of that Committee, and that Report was rejected by a majority of 1, in favour of a Report condemning the assertion of the independence of the United Kingdom, and condemning the assertion of Her Majesty's authority as supreme within it; because this Act had provided penalties whereby the infringement of the national independence and of Her Majesty's authority might be repressed. In the following Session—the Session of 1868—the House of Lords appointed a Committee, who went fully into evidence, and with the evidence before them which was taken by the Committee of this House, the proceedings also and the Report of our Committee had also been communicated to the Committee of the House of Lords; they reported that it would be unwise to disturb the settlement of 1851, seeing that no practical grievance had been proved to justify the alteration of the statute. But this Session the House of Lords found that a Member of Her Majesty's Government had again proposed to repeal the statute of 1851, so far, at all events, as the coercive provisions of that statute enforceable by penalties are concerned; and the Bill has been sent down which is now before this House. Hon. Members who have scarcely read the Bill will forgive me if I advert for a moment to its provisions. By this Bill, then, all penalties upon the assumption of titles connected with territorial jurisdiction, in the sense of the Papacy, and in the sense in which every Roman Catholic is bound to accept the decrees of the Papacy, can no longer be exacted; all that is declared is this—that no assumption of coercive jurisdiction shall be recognized by the law of this country—that is to say, no assumption of a coercive jurisdiction by Roman Catholic Prelates: in other words, as yet the State is to refuse the aid of the temporal power to enforce the decrees of the Papacy, and yet the assumption of those territorial titles, inseparably connected, by the decrees of the Papacy, and in the mind of every Roman Catholic who accepts those decrees, with coercive jurisdiction, is to be permitted by law. Let the House remark, that hencefor-

ward this is to be permitted and recognized by law. All that is to be done, if this Bill pass, will be that the Secretary of State cannot be called upon to use the civil power for the enforcement of the decrees either of the Archbishop of Westminster in England, or of Cardinal Cullen in Ireland. That may seem to be a very innocent proposition in the eyes of some hon. Gentlemen; but what is the effect of it? I must here refer to the Bill which has lately passed this House, and passed under extraordinary circumstances—in short, without discussion apparent to the public; certainly the discussions which took place upon it, after the second reading, were so very late at night that, so far as the public are informed, there might as well have been no discussion at all. What is the substance of that Bill? The substance of that Bill, which we have sent to the House of Lords, is that, at the suggestion of the Board of Public Works in Ireland, the Treasury may appropriate any of the funds which Parliament has supplied, or may supply, for the construction by loan of roads, harbours, drainage, and for buildings on land, and divert the money voted for those purposes to loans for the purchase of glebes, and loans for the erection of glebe-houses. In the Bill this expression is used—The loan is to be made for the purchase of a glebe, or for the erection of a house for the officiating minister or priest—let the House mark not “in,” but “of” any parish. Now, Sir, as long as this Act of 1851 remains on the statute book, there can be no doubt that the parish does not mean a Roman Catholic parish, a parish divided, limited, and established by Roman Catholic authority, but it must mean a parish established by the authority of Her Majesty and her Parliament. But if this Bill, which we are now considering, passes, the assumption of the title of Archbishop, Bishop, or priest, as connected respectively with a province, a diocese, or a parish, the limits of which are described by the Papacy in a brief from Rome, and by that authority only; the territorial division, and the connection of those ecclesiastics with that territorial division will, for the first time since the Reformation, be not only recognized and permitted by law, but be recognized in this manner—that the Treasury will be empowered to advance

money for the purchase of land to constitute a glebe, and to erect a house within a parish so designated by a foreign authority. I hope I have made this distinct and clear to the House; for I think it is right that the House should consider the provisions of this Bill in connection with the Bill which we have just sent to the House of Lords. I perceive that the House is somewhat unwilling to consider the subject; nevertheless, I feel it to be my duty to call attention to the circumstances of the period at which this combination of measures is passing the British Parliament. It is impossible that the Members of this House should be ignorant of a circumstance which has produced a great sensation throughout Europe and the world—I mean the convening of the Papal Council, and the decree of that Council, declaring the infallibility of the Pope, acting personally in the discharge of his office. Well, I ask the House to consider the effect of these two Bills with reference to that circumstance. Other States are taking very different steps with respect to their relations to the Papacy from those which the Parliament of England is adopting. Within the last few days Austria has finally declared that the Government of the Emperor finds it impossible to continue any longer the relations between the Government of the Empire and the Holy See, which are prescribed by the subsisting Concordat, and is therefore about to abrogate that Concordat. Then, what do we see in France? When, in 1864, the Encyclical and Syllabus were issued by the present Pope, the Government of France, acting under the powers reserved to the State by the Concordat of 1802, which still subsists between the Empire and the Papacy, found it necessary to forbid the publication of those documents within its dominions. In 1865 it pleased his Holiness the Pope to issue a letter to the Archbishop of Paris, wherein he formally condemned the terms of the Concordat between the Government of France and the Holy See; because, by the terms of that Concordat, his authority was restrained, inasmuch as they did not permit him, as supreme Pontiff, to supersede the jurisdiction of the Roman Catholic Bishops in France. But why does the Pope think fit to condemn the Archbishop of Paris with reference to this Concordat? Because the Arch-



bishop of Paris refused to violate the fundamental laws of the French Empire, which are guarded by the Concordat, and insisted upon—what? upon visiting the regular Orders in their establishments within his diocese! And, further, the Pope declared that neither the privileges of the Church of France, established in connection with the fundamental laws of the Empire, nor the terms of the Concordat subsisting between the French Government and the Holy See, should prevent him from interrupting the Archbishop of Paris in the performance of his duty as a French Senator. Such, Sir, are the circumstances connected with France. And we must all remember what occurred in 1864 and 1865 with respect to Russia. Russia had sought a Concordat, but upon the same terms as the Concordat which exists between France and the Holy See—that is to say, a Concordat reserving the independence of the internal administration of the Empire free from the interference of the Papacy. What happened? The negotiations were protracted, and, pending the negotiations, acting chiefly through the regular Orders in Poland, his Holiness encouraged an insurrection in that country, which led to the most bloody and lamentable consequences; and that was the reply of the Papacy—the reply of the present Pope, to the application of Russia for a Concordat! Why do I advert to these facts? Because I wish to call the attention of the House to certain considerations. You are about to permit Cardinal Cullen to assume the title of Archbishop of Dublin. By the Glebes Loan Bill, which you have passed, he being, according to the Papal constitution, supreme administrator of all property belonging, or which hereafter may belong, to any Roman Catholic establishment of a parochial nature within Ireland, you are preparing to place the Treasury in communication with the persons whom you permit to assume a territorial connection with Ireland, and you virtually make him the negotiator between the Treasury and the authorities of the Papacy, as to the terms upon which the Roman Catholic Church shall be established in Ireland. I say “established” for this reason. It is idle to tell me, when you use the power of the State by way of loan to effect the purchase of land or the erection of houses for priests within the

parishes of Ireland, that you do not establish the Church for whose ministers you thus provide these estates and houses. If these glebes and houses could be provided without loans, why do you make loans? It is perfectly obvious that, by the joint operation of this Bill, if it be passed, permitting the assumption of the titles of Archbishops, Bishops, and priests, of particular parishes, with the Bill providing means for the establishment, with estates, of these Archbishops, Bishops, and priests, you virtually and beyond all doubt establish the Church which they represent in the country with which you thus deal. Therefore, I want the House distinctly to understand, and whether it pleases to sanction this Bill or not, that the sanctioning of it is the distinct establishment of the Church of Rome, in Ireland at all events, by the aid of the Imperial Treasury; that, without a Concordat, you are about to open negotiations between Cardinal Legate Cullen and the Treasury with respect to those establishments; and, therefore, with respect to everything, in which he may see fit to concern himself, connected with the temporal as well as the spiritual affairs of the Roman Catholic community in Ireland. I hope the House will forgive me for detaining it at some length; but I believe that my exposition is a correct one, and that the effect of this Bill, if it passes, jointly with the effect of the Bill which you have sent to the House of Lords, will be the distinct and direct establishment of the Papal Church in Ireland. That I firmly believe will be its effect; but, I dare say, some of the right hon. Gentlemen of the Treasury Bench will reply—“You might as well declare that we establish the Presbyterian Church.” My answer to that is, that the Presbyterian Church is established, and that that which is not established is the Roman Catholic Church. And what you are about to do is this. You are about to establish the Roman Catholic Church in Ireland. It is all very well to say that you are going to proceed upon the principle of equality—that is, equality as between the several denominations. I see an hon. Member opposite, who served on the Committee, which the House appointed in the present Session to inquire into the monastic and conventual establishments that are growing up in this coun-

try; and the hon. Gentleman will remember that Lord Clifford — I have a right to refer to this — appeared as a witness before that Committee. On that occasion his Lordship, in reply to several questions, said—

“All that we, the Roman Catholics, ask is, that the law should take no notice of these monastic and conventual establishments; that they should be considered as so many clubs or private families; and that otherwise the law should not interfere with the Roman Catholic Church or the regular Orders connected with them, because we claim to be placed on terms of equality with all other religious denominations. You do not interfere with the Wesleyans,” he said. “You do not interfere with the Independents. You do not interfere with any of the sects of Protestant Dissenters. Therefore we claim that you should not interfere with our Church.”

Then I put a question to his Lordship. I asked him this—

“Supposing that the law of England takes no notice of the organization of the Roman Catholic Church or of the organization and intrusion of the regular Orders; supposing that that is your object and that that object is accomplished; I ask your Lordship, will the position of the Roman Catholic Church and that of other denominations then be one of real equality?”

I meant by that question—“Do you, as one of the Roman Catholic Peers who signed a declaration against this Act in 1851, mean to assert that, if the law attempts to establish an equality between the Roman Catholic Church and all other denominations by taking notice of none, the Roman Catholic Church will then remain, and be content to remain, upon terms of equality with other denominations?” Sir, Lord Clifford is an honourable man. I pressed him hard on that point, and his Lordship very prudently, very honourably, and very properly refused to answer the question. Because it is notorious that, although the Legislature of this country may choose to close its eyes and shut its ears against the information which reaches it from every quarter of the world, and although it may choose to render itself blind and deaf to the proceedings of the Papacy in Rome and elsewhere, yet this assumed blindness and deafness will not alter the circumstances; and the ambition, the intrigues, and the usurping despotism of Rome will continue in full force, but embittered by the result of the deliberations of this Papal Council, which, by declaring the Pope personally infallible, when acting *ex cathedra*, appointed him to be at all times, in the estimation of such as can accept the

doctrine, the exponent of divine truth in all matters, and therefore the supreme authority not only over his own Church but over all mankind; and that not in matters spiritual only, in the sense in which the laws of this country recognize them, but for all purposes, and this without appeal. Hon. Members may say that the success which has at last attended the labours of the Jesuits, who have at length established an uncontrolled despotism at Rome, a despotism in the Pope personally, but controlled by themselves, is a phantasm too absurd to deserve the attention of so intelligent and august an Assembly as the House of Commons. But hon. Members who hold such language as this condemn the universal opinion of mankind. I do not wish to characterize so arrogant an assumption in the terms which it deserves; but if this House chooses to ignore the proceedings at Rome, it condemns the Government of Russia; it condemns the Government of Austria; it condemns the Government of Spain, now republican; it condemns the Government of every country in the world for lending itself to vague apprehensions which are unworthy the consideration of any sensible man! Sir, I have great respect for the intellect of this House; but if the House should take upon itself thus to condemn the whole world, I am afraid it will constitute me a dissenter from its judgment. I wish to show that this is not merely a matter of ecclesiastical designation as it has been presented to us. Some will say—“Why interfere with those poor priests who fancy these territorial designations? True, ’tis a foolish fancy; but why not gratify these poor priests?” But there is in this a kind of contemptuous pity which has in it the very essence of insult. I know that some hon. Members will say that I am actuated by a very persevering bigotry, which can be the result of nothing but miserable ignorance. There are people in the world who are supposed to have some knowledge of the circumstances of the Papacy and of its action, and of the position of the Roman Catholic Church in various countries in the world with respect to the civil power and the social condition of those countries. Amongst these perhaps the most distinguished was the late Count de Montalembert; and, in justification of my thus venturing to intrude upon the House, I should



like to read to the House an extract from a letter which was written by the Count de Montalembert a very short time previous to his lamented death. The Count de Montalembert is acknowledged by Roman Catholic organs in this country, and is known throughout the world, as having been, during the last 35 years, the most distinguished advocate of the Roman Catholic Church in France. He was, in short, the admiration of his country. It so happens that Count de Montalembert sympathized strongly with the Archbishop of Paris and Father Gratry, and other Roman Catholic ecclesiastics, who deprecated the declaration of the Pope's personal infallibility as a measure which was likely to be productive of consequences eminently detrimental in their opinion not only to the whole Church, but to the peace of the world; and I really think that, as the House is now dealing with this subject, and considering that we are only separated from France by a narrow channel, it cannot be a matter of indifference to the Protestant Members of this House — some of whom may not have studied the subject—to be informed of the opinion of a person so eminent as the late Count de Montalembert. The remarkable letter to which I am about to refer as having been written by this distinguished man, has been accepted by the Roman Catholic journals as authentic. In *The Times* of March 7th, 1870, this letter appears in a communication from the Paris correspondent of that paper, dated Paris, March 5th; and the correspondent writes in these terms—

"I am certain you will read with interest the subjoined translation of a letter which Count Montalembert has felt himself called upon to write, in reply to a person who had pointed out to him what he considered a flagrant contradiction between his former speeches in the Chamber of Peers against Gallicanism and his present adhesion to the protest of Father Gratry against the absolute supremacy and separate infallibility of the Pope. The letter is dated Paris, the 28th of February, 1870:—' . . . . Never, thank Heaven, have I thought, said, or written anything favourable to the personal and separate infallibility of the Pope, such as it is sought to impose upon us; nor to the theocracy, the dictatorship of the Church, which I did my best to reprobate in that history of the *Monks of the West* of which you are pleased to appreciate the laborious fabric; nor to that *Absolutism of Rome* of which the speech that you quote disputed the existence, even in the Middle Ages, but which to-day forms the symbol and the programme of the faction dominant among us. . . . . At the same time, I willingly admit

that if I have nothing to cancel I should have a great deal to add. I sinned by omission, or rather by want of foresight. I said—"Gallicanism is dead, because it made itself the servant of the State; you have now only to inter it." I think I then spoke the truth. It was dead, and completely dead. How, then, has it risen again? I do not hesitate to reply. In consequence of the lavish encouragement given, under the Pontificate of Pius IX., to exaggerated doctrines, outraging the good sense as well as the honour of the human race—doctrines of which not even the coming shadow was perceptible under the Parliamentary Monarchy. There is wanting, then, to that speech, as to the one I made in the National Assembly on the Roman Expedition, essential reservations against spiritual despotism, against absolute monarchy, which I have always detested in the State, and which does not inspire me with less repugnance in the Church. But, in 1847, what could give rise to a suspicion that the liberal Pontificate of Pius IX., acclaimed by all the Liberals of the two worlds, would become the Pontificate represented and personified by the *Univers* and the *Civiltà*? In the midst of the unanimous cries then uttered by the clergy in favour of liberty as in Belgium, of liberty in everything and for all, how could we foresee as possible the incredible wheelabout of almost all that same clergy in 1852—the enthusiasm of most of the Ultramontane doctors for the revival of Cæsarism? The harangues of Monseigneur Parisis, the charges of Monseigneur de Salinis, and especially the permanent triumph of those lay theologians of absolutism, who began by squandering all our liberties, all our principles, all our former ideas, before Napoleon III., and afterwards immolated justice and truth, reason and history, in one great holocaust to the idol they raised up for themselves at the Vatican? If that word idol seems to you too strong, be pleased to lay the blame on what Monseigneur Sibour, Archbishop of Paris, wrote to me on the 10th of September, 1853—"The new Ultramontane school leads us to a double idolatry—the idolatry of the temporal power and of the spiritual power. When you formerly, like ourselves, M. le Comte, made loud professions of Ultramontanism, you did not understand things thus. We defended the independence of the spiritual power against the pretensions and encroachments of the temporal power, but we respected the constitution of the State and the constitution of the Church. We did not do away with all intermediate power, all hierarchy, all reasonable discussion, all legitimate resistance, all individuality, all spontaneity. The Pope and the Emperor were not one the whole Church and the other the whole State. Doubtless there are times when the Pope may set himself above all the rules which are only for ordinary times, and when his power is as extensive as the necessities of the Church. The old Ultramontanes kept this in mind, but they did not make of the exception a rule. The new Ultramontanes have pushed everything to extremes, and have abounded in hostile arguments against all liberties—those of the State as well as those of the Church. If such systems were not calculated to compromise the most serious religious interests at the present time, and especially at a future day, one might be content with despising them, but when one has a presentiment of the evils they are preparing for us it is difficult to be silent and resigned. You have there-

fore done well, M. le Comte, to stigmatize them." Thus, Sir, did the pastor of the vastest diocese in Christendom express himself 17 years ago, congratulating me upon one of my first protests against the spirit which, since then, I have never ceased to combat. For it is not to-day, it was in 1852 that I began to struggle against the detestable political and religious aberrations which make up contemporary Ultramontanistism. Here, then, traced by the pen of an Archbishop of Paris, is the explanation of the mystery that preoccupies you, and of the contrast you point out between my Ultramontanistism of 1847 and my Gallicanism of 1870. Therefore, without having either the will or the power to discuss the question now debating in the Council, I hail with the most grateful admiration; first, the great and generous Bishop of Orleans; then the eloquent and intrepid priests who have had the courage to place themselves across the path of the torrent of adulation, imposture, and servility by which we risk being swallowed up. Thanks to them, Catholic France will not have remained too much below Germany, Hungary, and America. . . ."

Then comes the comment of *The Times* correspondent on this letter. He says—

"I need only remind some of your readers that Archbishop Sibour, whose curious and really admirable letter Count Montalembert quotes, was appointed to the See of Paris by General Changarnier, after the death (so truly glorious and worthy of a Christian Bishop) of Monseigneur Affré, in June, 1848, and that he himself was murdered by a wretched priest, named Verger, in 1857."

Sir, I think I cannot be accused either of bigotry or ignorance if, with this letter in my hand, I look with suspicion upon the effects likely to arise out of the recent decision of the Papal Council, and with distrust upon the probable action of Cardinal Cullen, who, I will show the House, is recognized as one of the chief propagators and supporters of the decree which has been stigmatized in the terms I have read to the House by the late Count de Montalembert in almost the last letter that he ever wrote. I do not choose to make that assertion without proof—I repeat that Cardinal Cullen, the chief authority, to whom you are about to entrust the administration of the money which, under the Glebe Loans Bill, will be dispensed by the Treasury, has avowed himself at Rome one of the chief propagators and promoters of the declaration of the personal infallibility of the Pope; and I will show you what are the consequences which he expects to flow from that declaration. The House will excuse me for quoting this, because I do not like to make what might be considered imputations upon my own authority. There is no organ of the Ultramontane Roman

Catholics better known in this country than *The Tablet*. That paper was established under the auspices of the late Cardinal Wiseman, and it is supposed to be peculiarly in the confidence of Dr. Manning at the present time. Here, Sir, in *The Tablet* of June 30, 1870, is a copy of an address of the Irish Bishops to his Eminence Cardinal Cullen. *The Tablet* says—

"On the evening of Monday, the 18th, after the public session of St. Peter's, an important re-union was held at the Irish College in Rome, through the kind invitation of the Very Rev. Mgr. Kirby, the venerable and respected President. Not only the Irish Bishops at present in Rome, but the most distinguished Prelates from France, Spain, the United States, Canada, and other countries enjoyed his hospitality on this occasion. Several Bishops representing the children of St. Patrick not only in Ireland, but throughout the British Colonies, availed themselves of the opportunity to present the following address to his Eminence the Cardinal Archbishop of Dublin—'To his Eminence Paul Cardinal Cullen, Archbishop of Dublin, Primate of Ireland, &c. May it please your Eminence, on this most memorable day in the history of the Vatican Council, we, the Archbishops and Bishops, representatives of the Irish race, respectfully approach your Eminence, and offer our heartfelt congratulations on your most able and successful vindication in the Council Hall of the rights of the Holy See, and of the tradition of the Irish Church concerning them. Your Eminence truly represented on the occasion the faith and feelings of the Irish people, and we are proud of the manner in which you have testified to both.—Signed by D. M'GETTIGAN, Archbishop of Armagh, Primate of All Ireland'—followed by 29 other signatures."

I quote now from Cardinal Cullen's reply—

"In progress of time the decisions of such a body will be the source of great blessings to the Church, condemning, as they do, so many forms of modern error, upholding the cause of justice and authority, defining the rights of religion, and, above all, banishing Gallicanism from the pale of the Church. This form of teaching, notwithstanding the name it bears, was never adopted by the great Church of France, but was violently forced into a sort of official existence by an ambitious king. Its tendencies always were to undermine the foundation of the Church, to divide the faithful of different countries into hostile camps, and to promote schisms and dissensions among those who should live together like brethren. Having been now solemnly condemned by a General Council, it is to be hoped that itself and its offshoots will soon be forgotten."

Now, Sir, Cardinal Cullen here accepts the congratulations of this Ultramontane assembly upon having promoted the condemnation of the Gallican system, by which the independent and national rights of the Roman Catholic community in France are secured to them under



the terms of the Concordat between that country and the Holy See. This reminds me, Sir, of a letter which was written by my late Friend Lord Beaumont to the late Duke of Norfolk, the grandfather of the present Duke, whom I was proud also to call my friend, and both were Roman Catholics. In that letter Lord Beaumont lamented the issue of the Brief of 1850 constituting the aggression, which the Legislature of this country resisted by the statute that you are now asked to repeal; and declared that the doctrines of which that Brief was the exposition were so extreme in the sense of sanctioning the usurped authority of the Papacy, and so dangerous in their tendency with respect to society and politics, that, to use his own expression—"Rome spued all moderation out of her mouth;" and added, that the doctrines of which that Brief was the embodiment would render it extremely difficult for any Roman Catholic, who yielded the obedience which that Brief required, to reconcile his allegiance to Her Majesty with his acceptance of the supremacy of the Pope. I have mentioned that it is only a few days since it pleased the Council called "Œcumenical" to sanction in the present Pope all the assumptions which the various Governments of Europe have found it necessary to resist, and I have shown that Cardinal Cullen has congratulated the Pope upon having succeeded, as he hopes, in crushing within France the last remnants of nationality—as reserved in the national Church of France; that he has congratulated the Pope upon the acts by which he has attempted to invade the terms of the Concordat; and I venture to represent to this House that this is not the time at which it is prudent to condone the assumption of territorial titles by such Prelates as Cardinal Cullen, knowing full well that they are imbued with those very, I must say, rebellious principles—rebellious against the just Prerogative of the Crown, and rebellious against the principle of independence which has been expressed in the laws of this country for 800 years. I say that this is not the time at which the Parliament of England should separate itself from the action of the Governments throughout the world, for the purpose of placing under the control of this presumptuous hierarchy the means of oppressing the most loyal and most

moderate portion of the Roman Catholic community; the means also of moving the least intelligent of their flocks to condemn, as unrighteous, the laws of this country, which are no more restrictive than the laws of France or than the laws of Germany, and not so restrictive as the laws of Russia. I repeat, Sir, that this is not the time at which it is wise, prudent, or expedient for the Parliament of England to stir in this matter, and that we ought to wait until we have had an opportunity of judging of the effects of this Papal decree, which has been and is celebrated by the Ultramontane party in the Church of Rome as the fulfilment of their hopes. I have now to move that the Bill be read a second time this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Newdegate.*)

MR. JESSEL said, he would not attempt to follow the hon. Member for North Warwickshire (*Mr. Newdegate*), for he was quite unable to do so. He should vote for the second reading of the Bill, on the assumption that its provisions would be greatly modified in Committee, so as to bring the measure back to what it was when it was originally introduced in the House of Lords. As the Bill at present stood he considered it to be more mischievous and more insulting to a large body of their fellow-subjects than the Bill which it proposed to repeal. In the first place, it was not to be forgotten that the present Bill extended to the whole of the realm, whereas the former Bill excepted Scotland from its operation, and excepted it for the same reason which now also applied to Ireland. If, therefore, the Bill were to pass in its present shape, it would prevent Bishops of the disestablished Church of Ireland and Bishops of the Scotch Episcopal Church from assuming the titles which they had hitherto borne, and would therefore be insulting and injurious not only to Roman Catholics, but to a large body of Protestants. But this was not his only objection to the Bill. The old Act of 1851 ought to be repealed in his judgment, if for no other reason than it had been nominally in operation for 20 years, and had never been enforced. He did not think a stronger objection could be stated to any Act of Parliament. But he ob-

jected further to the present Bill, because it took away one great safeguard which existed in the former enactment, which prevented bigoted and violent men from molesting and annoying with legal process and criminal indictments clergymen and priests of various denominations. That safeguard was, that before the Act could be enforced, the sanction of the Attorney General was requisite. A consideration of the provisions of this Bill would show that in the case of any offence committed against it, no such sanction was required. The framers of this Bill, not adverting to the fact that any offence committed in contempt of an Act of Parliament was a misdemeanour, enabled every person who thought fit to put this Act into operation by indictment at every quarter sessions in England. Instead of repealing what was objectionable in the former Act they were extending it; instead of limiting the penalty to £100, they were inflicting any penalty which the discretion of the Judge might consider to be right. It was said that by repealing the former and obsolete Act they would be helping to establish the Church of Rome. That was a perfectly groundless fear. The real question was whether a respectable and venerable gentleman should call himself Archbishop of Dublin or Archbishop of Mesopotamia *in partibus infidelium*. He did not think that the fact of his calling himself by one title or the other would in the least establish the Church of Rome. That Church was already established in the sense that it was tolerated by law; but it was not established in the sense that it was endowed by law, nor was any establishment of the Church of Rome in that sense contemplated by this Bill. In giving their sanction to the measure, however, improved as he hoped it would be in Committee, this would remove from the statute book an Act of Parliament which, whether rightly or wrongly, was looked upon by a large portion of their fellow-subjects as an insult to them and their religion.

MR. BERESFORD HOPE said, he would support the second reading of this Bill on the understanding laid down by the hon. and learned Member for Dover (Mr. Jessel), with whose arguments he entirely concurred. He looked upon the Bill as a measure of simple justice. The present Act was, no doubt, provoked by proceedings very unwise, and in many

respects insolent. The people of England were excited to absolute fury, and did a very illogical thing. They passed an Act of Parliament full of sound and fury; but the penalties were futile and nugatory. While it did not accomplish the object which was aimed at, the Act of 1851 did a great deal of harm by giving a shock to the general respect and esteem in which England had been held as a land of toleration for every form of religious belief. He himself had voted against the Bill, and had lost his seat for several years in consequence. He did not regret that, for he felt that he had taken the only course consistent with his honour. If the present Bill had come down from the House of Lords in its original shape he should have been prepared to accept it. But Clause 1, which had been introduced, did either too much or too little. It either affirmed a mere truism, and as such was beneath the dignity of Parliament, or if it did more it was a penal statute of such stringency that it ought not to be accepted. The original Act of 1851, by a clause specially framed it was said by the right hon. Gentleman now at the head of the Government, had been prevented from affecting the Episcopal Church of Scotland, but the words "assumed or used" in Clause 1 of the present Bill would clearly apply to that Church, and bring it within the provisions of the measure. This, he thought, must clearly not have been the intention of those who had brought it in, and they were therefore responsible for setting it right in Committee. He meant to vote against the Motion of the hon. Member for North Warwickshire (Mr. Newdegate) hoping that the House in Committee would take a rational view, and bring back the Bill more nearly to its original shape, so as to make it a measure of toleration and send it forth a message of peace, and not of persecution.

MR. T. CHAMBERS said, the hon. Member for North Warwickshire (Mr. Newdegate) was plainly entitled to claim the support of the Members for Dover (Mr. Jessel) and for the University of Cambridge (Mr. Beresford Hope), their voices having clearly been given against the Bill, though their votes might be recorded in its favour. Both hon. Gentlemen declared that they only supported the Bill in the expectation that it would be entirely changed in Committee. His hon. and learned Friend the Member for



Dover, whose practice did not lie as largely in the Criminal as in the Equity Courts, imagined that this Bill would create a new misdemeanour. But such was not the case, for it prohibited nothing, and there were, consequently, no provisions to be infringed. It merely said that if certain steps were taken they should be null and void, and in that lay the difference from the Act of 1851, which did create a penalty for acts done in contravention of its provisions. Those penalties, however, had never been enforced, and admittedly were not going to be enforced. Who, then, was injured by the continuance of the statute, or who would be benefited by the substitution for it of another statute which provided that the same acts, if attempted, should be null and void? Generally, he was not in favour of retaining penalties on the statute book which were never enforced; but the present time was ill-chosen for altogether repealing the Act, which would be unnecessarily alarming the scruples of large numbers of the English people. He could see no adequate reason or justification for the change proposed. The Ecclesiastical Titles Act remained on the statute book simply as a protest against the aggression of a foreign Power, and what good end was to be attained by the passing of this new Act he was at a loss to understand.

MR. McLAREN: Sir, I object to this Bill, but for very opposite reasons to those put forward by the hon. Member for the University of Cambridge (Mr. Beresford Hope). I object as regards that part of the Bill which includes Scotland. The Act which it is now sought to repeal, it has been argued, in effect sanctioned the assumption of ecclesiastical titles by persons in Scotland connected with the Episcopal Church in that country. But, Sir, I deny the effect of the clause was to give any such sanction; because the conclusion of the clause of the Bill of which the second reading is now proposed, declares that nothing in that Act contained shall confer any right on those persons which they did not possess before the passing of the Act. The Ministers of the Episcopal Church of Scotland never had a shadow of a right by law to assume any episcopal title, and the effect of that clause, I will venture to say, was what I will state. I admit that the Act was most offensive, inasmuch as it dis-

tinguished between the assumption of titles by Episcopalian ministers to which they had no legal right, and the assumption of titles by Roman Catholics to which they had no legal right; for while it stigmatized the Roman Catholics, and made them liable to a penalty of £100, it did not stigmatize the Episcopalian clergymen, and did not make them liable. To that extent it was very unjust, and calculated to wound the Roman Catholics; but I deny altogether that it gave to the Episcopal Church of Scotland any right to assume territorial titles. In point of fact, in many districts they do not assume them. We speak not of the Bishop of Edinburgh, but of Bishop Terrot, and we spoke of his predecessor as Bishop Sandford. We know that there are some who assume titles in different districts of Scotland; but those who may call themselves Bishop of Argyle or Bishop of Aberdeen—to which they have not a shadow of a right—are just in the same position as any of the other ministers of religion in Scotland, with this difference, that they have the smallest influence of any ministers in Scotland with regard to the extent of their flocks. A man may call himself Bishop of Argyle and the Isles, and yet have only a handful of people in connection with his denomination; and there may be 50 ministers of other denominations, each of whom has a larger number of people to attend to than the so-called Bishop of Argyle and the Isles. The assumption of territorial titles by Catholics and Episcopalians in Scotland is not respected. On the contrary, it is laughed at and sneered at; and if you go to a meeting for some benevolent and useful object, you will see on the same platform the Roman Catholic Bishop who has never called himself Bishop of Edinburgh, but Bishop Gilles or Bishop Strain, standing on the same platform with Bishop Terrot of the Episcopal Church and other ministers, and no difference made between them. No assumption of superiority ever took place; and, in fact, such an assumption of superiority in a Presbyterian country, where Presbyterianism is enacted by law, would be altogether out of the question. Now, I take exception to this Bill, because it is quite plain that, although it does not profess to have for its object the giving of any sanction to the assumption of titles; but, on the contrary, denies to

them any legal sanction, yet the purport of it is to enable all these parties to assume such titles of superiority over other ministers. To that extent I object to the measure. The first part of the Bill shows that the Ecclesiastical Titles Act only applies to England and Ireland. In the 9th line there is a reference to deaneries in England or Ireland, and one would have supposed that when the alleged grievance was confined to England and Ireland, we should have met with a clause in the Bill providing that the remedy should not apply to Scotland; but, in place of that, the Enacting Clauses, four or five times over, provide that it shall be operative within "this realm," thus making it as applicable to Scotland as it is to England or Ireland. I will not say one word about Ireland, or the effect of Catholicism there; I will leave that to other parties; but I object to the apparent sanction which you are going to give to the thrusting upon a Presbyterian community of two classes of ministers of religion, who are to assume titles of superiority over other ministers in Scotland, to which titles they have no claim in law; and because they are not, either by talent, or influence, or learning, or in any other shape or way entitled to those distinctions. On these grounds I entirely object to this Bill, and shall vote against the second reading, although not for the same reasons as have been stated by the hon. Member near me.

MR. OSBORNE said, he could well understand the impatience of hon. Gentlemen, because he knew it was not pleasant to have to discuss the old subject of the effect of the Ecclesiastical Titles Bill on the 4th of August and with the thermometer at 84 degrees in the shade. But he declined to discuss the Bill or to vote upon it on the narrow grounds put forward by the two learned Gentlemen of the long robe who had addressed the House. He thought hon. Members would be inclined to vote for the Bill on the ground that it would remove a flagrant injustice and insult to their Roman Catholic brethren. He was one of those who in 1851 resisted the original Bill. So far from that being passed at the instigation of the nation, it was brought in as a clap-trap appeal on the part of a Whig Ministry, who were shaking in Office, to the bigotry of the country to support them. He sepa-

rated himself from that party, and like the hon. Member for Cambridge University (Mr. Beresford Hope), he paid the penalty for his vote by losing his seat in that House. The Act of 1851 was worse than a crime; it was a blunder. It effectually estranged the Roman Catholic nation of Ireland from this country, and the disaffection caused by the Bill was felt to this day. He was not surprised at the line taken by the hon. Member for North Warwickshire (Mr. Newdegate), for he had always been consistent; but he thought it a little hard that he should detain the House now by reading the same letter from Count Montalembert that he occupied one whole day in reading before the Committee. He ought not to come down to the House, make the same speech, and read the same letter.

MR. NEWDEGATE said, the hon. Member misrepresented him. The letter he had quoted was written on the 28th of February last.

MR. OSBORNE said, it was strangely like the one read in Committee, and he suspected that it was a corrected copy prepared for the House. As he had said, he was not surprised at the course taken by the hon. Member for North Warwickshire, and his Colleague the hon. Member for Peterborough (Mr. Whalley),

" . . . . . Arcades ambo,

Et cantare pares, et respondere parati."

But he warned the Members of that House that if they were going to take that line they must be prepared to have a greater force in Ireland than they had at present. The hon. Member for Marylebone (Mr. M. Chambers) said this was a bad time to repeal the Act. But he would ask whether it was intended, while there was a war on the Continent and recruiting was proceeding in this country, to ask the recruits for an explanation of their religion? Was it wise at such a moment to place a stigma upon the priests of the national religion in Ireland, saying they should not call themselves Bishops of Down or Derry? He was astonished that the hon. Member for Dover (Mr. Jessel), who was an acute lawyer, should suffer his reason to be run away with in this matter; and he was equally surprised to find the hon. Member for Edinburgh (Mr. M'Laren) drawing distinctions on behalf of the Presbyterians of Scotland. What possible harm could be done to the Presby-



terians if a gentleman chose to call himself Bishop of Edinburgh? Why could not clergymen be allowed to call themselves what they liked? They did not on that account take any money out of the hon. Member's pocket. He could have understood an objection on such a score from a Scotchman; but he could not comprehend the sentimental reasons which had been advanced. He hoped the House would not be led away by such considerations. This was no time for having useless protests upon our statute book, and when a protest was a wrong and an insult the British House of Commons should wipe it out. If they wished to unite Ireland to England they would not accomplish that object by continuing debates of this sort, and still less would they succeed in that direction by placing a stigma upon their Roman Catholic fellow-countrymen.

MR. BRUCE said, as he intended, on the part of the Government, to support the second reading of the Bill, he would state shortly his reasons for taking that course. The hon. Member for Marylebone (Mr. M. Chambers) claimed the votes of two hon. Members (Mr. Jessel and Mr. Beresford Hope) on the ground that they had spoken against the Bill, but he overlooked the important clause which repealed 14 & 15 *Vict.* The Bill did its work quite as effectually and much less offensively as originally framed by the Government and introduced into the House of Lords than in its amended form, and for that reason it was proposed to make Amendments in Committee restoring the Bill to its original shape. The provisions would, however, remain intact, so far as they were directed against the conferring of titles by a foreign potentate; but the Government was not disposed to inflict penalties on religious bodies for the use of distinctions among themselves. He thought it very inexpedient to retain on the statute book laws which were not enforced; and when a number of new Bishops were putting themselves under the ban of the law, it seemed to be very necessary to repeal a law which did not commend itself to the moderation or good sense of the community.

MR. DODSON said, he wished to know what would be the legal position of the Bishops of the disestablished Church in Ireland and their successors if the existing law remained unaltered?

THE SOLICITOR GENERAL FOR IRELAND (Mr. Dowse) said, he believed the present Bishops would be entitled to retain their titles and precedence without any interference or prosecution, but under the existing law any new Bishop appointed after the 1st of January 1871, would be subject to a penalty of £100 if he assumed the title of his see.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 111; Noes 34: Majority 77.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*, at Two of the clock.

#### FOREIGN ENLISTMENT BILL—[BILL 258.]

(Mr. Attorney General, Mr. Solicitor General,  
Mr. Secretary Bruce.)

#### CONSIDERATION.

Bill, as amended, *considered*.

MR. J. LOWTHER said, he was surprised that, in framing this Bill, an opportunity was not taken for dealing with some other branches of the same subject. Why should ships alone be selected as being contraband of war within the terms of the Bill? Other articles of war were manufactured in this country, and practical people would be apt to inquire why it was so heinous a crime to construct for the service of one belligerent a ship in the Mersey, while arms and ammunition for use by another belligerent might be manufactured with impunity at Birmingham or elsewhere. This was not a question of International but of Municipal Law, and as they were assembled there to remedy glaring defects in our Municipal Law, he wished to know whether the Government were prepared to accept words which he proposed to add to Clause 8, placing arms and munitions of war in the same category as ships. Already a very serious feeling existed abroad as to our partiality in time of war; and he would remind the House that whereas during the American War a great disturbance was made about certain vessels which escaped from this country, whole cargoes of munitions of war were constantly leaving this country for the Northern States. Would not certain parties during the present war be dissatisfied if they were prohibited from obtaining ships, which they wanted,

while their opponents were allowed to buy guns and munitions of war to their heart's content? It might be said that to stop a suspected vessel of war was easy, while it was by no means easy to identify and stop a rifle and canister of powder. This was true, but, at all events, it would not be difficult to stop any wholesale infraction of the law. What must be the feelings of a belligerent who found that his opponent had free access to our markets for that which he required, while he himself was debarred by special statute, passed subsequently to the commencement of hostilities, from supplying his own special wants? Such legislation was contrary to the spirit of neutrality; and to put himself in Order in making these observations, though with no desire to delay the Bill, he would move that the further consideration of the measure be postponed for a month.

MR. MONK said, he wished to know from the Attorney General whether he thought the 4th sub-section of the 8th clause would meet the case of any individual or corporation who might sell, or contract to sell, a vessel to a belligerent to be used as a transport for the purposes of war. He read in *The Times* of that morning that one of the large screw steamers belonging to the West Hartlepool Steam Navigation Company had been sold to French buyers, and that she was to be used as a transport. Would such a sale come under the purview of the clause? If not, he would move a 5th sub-section to meet what he considered the omission.

THE ATTORNEY GENERAL said, the point was made clear by the Interpretation Clause, which defined "military and naval service" to mean "any user of a ship as a transport or store-ship." He admitted that the point was an important one, and he proposed, in order that there should be no doubt as to the intention of the clause, to add the words "for or in aid of any naval or military operation." The Amendment suggested by the hon. Member for York (Mr. J. Lowther) would be more properly considered when they came to the clause to which it referred.

MR. J. LOWTHER said, he would propose, in page 4, line 5, to insert after the word "ship" the words "arm or munition of war." We were anxious that this country should be really neu-

tral, and it had on all former occasions been subject of regret that our Municipal Law did not extend to the prohibition of supplying warlike stores to a belligerent. He was aware that it was not so easy to find out where Chassepots or needle-guns might be manufactured as where a ship was built, but the principle involved was the same, and the object of his Amendment was to make the clause applicable to both. He would not occupy the time of the House, and he trusted no one else would, by irrelevant observations about International Law, with which this question had nothing whatever to do. The House would not be influenced by the quotation of judgments of Lord Stowell or other high authorities upon International Law from remedying a glaring and almost universally regretted defect in our Municipal Law.

Amendment proposed, in page 4, line 5, after the word "ship," to insert the words "arm or munition of war."—  
(*Mr. James Lowther.*)

THE ATTORNEY GENERAL said, he must remind the hon. Gentleman that the point had already been discussed in Committee, and decided against the hon. Gentleman. The Bill, as it stood, went far beyond our own law or, he believed, that of any other country for the enforcement of neutrality. If the Amendment were carried it would involve us in great difficulties indeed. It would, in fact, be enacting that which might be construed into imposing on ourselves an obligation which no neutral had ever yet admitted. The question raised had been determined between ourselves and America in 1793, when she supplied France not only with ships, but with arms and munitions of war. We remonstrated at the time, and the Government of Washington admitted that, so far as ships were concerned, we were right; but they said that, with regard to arms and munitions of war, they could not comply with our request—that to do so would require the establishment of a belligerent excise throughout the country, and that every gun-shop and manufactory would have to be watched. If, indeed, we were to undertake such an obligation as the Amendment would impose, we should have to double or treble our police force, in order to keep watch over every manufactory of arms

*Mr. J. Lowther*



at Birmingham, and every coal-store in every port of the kingdom, and to interfere with trade in a manner which would be almost intolerable; and such were the grounds on which the American Government refused to establish a surveillance of that kind. We concurred with them in the view which they took of the matter; and, so far as he was aware, that was the view which was acted upon from 1793 up to the present time. Such was the law during the Crimean War, when Belgium and Holland supplied Russia with arms, while during the American War we supplied both Federals and Confederates with arms to a considerable extent. The trade in contraband of war was one which he must not be understood as at all approving. He wished our merchants and manufacturers could be persuaded to give it up, but the question was whether the Government should take upon itself the responsibility which the Amendment would impose; and he, for one, thought it would be very unwise for them to do so. The Americans had made no complaint that we had not prohibited the exportation of arms during the civil war. The question had been well considered by the Royal Commission which sat upon this subject, and he trusted the House would not involve the country in additional responsibilities which it would be impossible to discharge, and which, if we were belligerents, we should probably find no neutral willing to undertake.

Question put, "That those words be there inserted."

The House divided:—Ayes 29; Noes 90: Majority 61.

MR. MONK said, he would beg to move, in page 4, line 9, after the word "state" to insert—

"Or (5.) sells, or contracts to sell, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state."

He was satisfied that under the clause, as it stood, an individual or a company might with impunity sell a ship, with a full knowledge that it was to be used in war against a friendly nation, and we might have another *Alabama* case. The clause only restrained persons from despatching vessels or causing them to be despatched; and he felt convinced

that his Amendment would strengthen the hands of a Government which desired to remain on terms of amity with its neighbours.

Amendment proposed,

In page 4, line 9, after the word "state," to insert the words "or (5.) Sells, or contracts to sell, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state."—(Mr. Monk.)

MR. VERNON HARCOURT said, he hoped the Attorney General would not accept the Amendment. It was a highly inconvenient practice to propose, without Notice, on the bringing up of the Report Amendments to Bills of such importance as this.

MR. MONK explained that as the Bill passed through Committee only yesterday, he had had no opportunity of placing his Amendment on the Paper.

MR. VERNON HARCOURT said, he thought it would not be right for the House to insert at this stage of the Bill an Amendment which would seriously affect the trade of the country.

MR. OSBORNE said, the only question for the House to consider was whether the Amendment was a right and proper one. Ought the Bill to pass without some such Amendment in it? He would put it to the House whether we ought to risk getting into another *Alabama* difficulty, which would be obviated by the common-sense Amendment improvised by his hon. Friend. It struck him that the Amendment was a most excellent one, and he should certainly not be deterred from supporting it merely because it was proposed at a late period.

THE ATTORNEY GENERAL said, no one could be more anxious than he to prevent the escape of *Alabamas*; but he could not help thinking that the Bill already went far enough in that direction. It prohibited the building, equipping, or despatching of any ship by any person having a knowledge, or intent, or reasonable cause to suppose that she was to be employed in the service of a belligerent; but, in his judgment, it would be going somewhat too far to prohibit a mere contract of sale without delivery. He might remark that the moment a person attempted to deliver a vessel, he would come within the provi-

sions of the Bill. The Commissioners had come to the conclusion that a mere contract of sale ought not to be prohibited, and he confessed that, on the whole, he was of the same opinion.

MR. NORWOOD said, he thought that sub-section 4 would meet the case sufficiently.

MR. G. B. GREGORY said, he was of opinion that the Bill did all that it was incumbent upon the Government to do. The Amendment would interfere greatly with the trade of the country, while a ship would be no use to a belligerent unless equipped or despatched.

SIR MASSEY LOPES said, that if the Amendment were an error, it would, at the most, be an error on the right side.

Question put, "That those words be there inserted."

The House *divided*:—Ayes 36; Noes 67: Majority 31.

THE ATTORNEY GENERAL said, he would propose to omit Clause 11.

MR. DICKINSON said, he hoped this would not be done, otherwise vessels corresponding with the *Alabama* could be succoured in our colonial ports.

THE ATTORNEY GENERAL said, he had to explain that, although the Royal Commissioners made a recommendation to the effect of this clause, they did not intend that it should be embodied in an Act of Parliament, but that it should be carried out under the Queen's Regulations. The Governor of a Colony would, under this clause have to determine whether a ship entering his ports was illegally fitted out or not; and this was enough to show the object the Commissioners had in view could not be carried out by an Act of Parliament. It was intended, instead, to advise colonial Governors of the escape of any illegally-fitted vessel.

Clause *struck out*.

MR. CANDLISH said, he wished to call attention to Clause 21. It provided that any Custom House officer might detain a suspected ship, so that the power would be vested in a tide-waiter who received, perhaps, 18s. a week. This was an extraordinary power to vest in such hands, and he would propose that the power should only be exercised by the chief officer of Customs in any port of the United Kingdom. The hon. Mem-

*The Attorney General*

ber concluded by moving his Amendment.

Amendment proposed, in page 8, line 7, "to leave out the word 'any,' and insert the words 'the chief,'"—(*Mr. Candlish*,)—instead thereof.

MR. ALDERMAN LUSK said, he questioned the propriety of giving so much power to Custom House officers of the lower class as was proposed by this Bill to confer on them.

THE ATTORNEY GENERAL said, that those officers of Customs were, in fact, the police of ports and harbours. No more power was conferred on them by the Bill than was already exercised by every parish constable throughout the kingdom. If the power of acting under the Bill were confined to the chief officer of Customs, as was proposed, it might happen that in a case of emergency that officer would be absent, and serious inconvenience would be the result. The principle of the clause was in operation in the Merchant Shipping Act and in all the Prize Acts. He quite admitted that the issue was more important than any that could be raised on the Merchant Shipping Act, but it was because it was more important that greater restrictions should be used. The great thing was to prevent the departure from our ports of any ships of the *Alabama* character.

Question, "That the word 'any,' stand part of the Bill," put, and *agreed to*.

Amendment *negatived*.

MR. GRAVES said, he would propose, in line 32, after "officer of customs" to insert "harbourmaster and dockmaster" with the view of enabling the dockmaster or harbourmaster to co-operate with the Government officers in the detention of a suspicious vessel.

THE ATTORNEY GENERAL said, he would offer no objection to the insertion of the words, but could give no indemnity to those officers.

Words *inserted*.

Bill *re-committed*, to consider a new Clause and an Amendment to the Title; *considered* in Committee, and *reported*, with an amended Title; as amended, *considered*; to be read the third time *To-morrow*, at Two of the clock.



## INCLOSURE BILL—[BILL 206.]

(Mr. Knatchbull-Hugessen, Mr. Secretary Bruce.)

SECOND READING. ADJOURNED DEBATE.

BILL WITHDRAWN.

Order for resuming Adjourned Debate on Second Reading [2nd August] read.

MR. KNATCHBULL-HUGESSEN said, considering the late period of the Session, and the opposition that was likely to arise with respect to this Bill the Government had come to the determination to withdraw it. He therefore begged to move that the Order be discharged.

SIR JOHN HAY said, he had presented a Petition from the inhabitants of Stamford in favour of the Bill, and he must make an appeal to the Government and the House to allow the Schedule to be altered, and to pass the Bill as regarded Stamford. The case of Stamford was not like that of other places mentioned in the Schedule. The Report of the Commissioners had shown not only that there was no opposition to the proposed inclosure, but that it would be attended with great benefit to the inhabitants, who, in exchange for the waste lands which were now of no use, would get good land for garden allotments and recreation purposes. Certain detached pieces of waste in the neighbourhood, varying from an acre to an acre and a-half, with one about six acres, two miles from the town, would be enclosed, and the lord of the manor had consented to give up 18 acres of land, eight of which were to be devoted to a public park and 10 to garden allotments for the poorer people. He would propose, therefore, to the Government that they should, as it were, turn the Bill into a private one, confining its operation to Stamford, and changing its title. With this view he should say no to the Question that the Order be discharged.

MR. FAWCETT said, he must admit that the case of Stamford was very different from most others; but, although his objections to the measure would not apply to it if it were altered as proposed by the hon. and gallant Baronet, nevertheless as he stated a few nights ago when a similar proposition was made by the Prime Minister he thought it impossible to deal by any Bill of the kind with these questions of property until the General Inclosure Act was amended. He heartily thanked the Government for

withdrawing the Bill, and also those hon. Members who had remained morning after morning till 2 or 3 o'clock to support him in his successful attempt to resist the passing of this Bill.

Motion agreed to.

Order discharged: Bill withdrawn.

## ELEMENTARY EDUCATION BILL.

LORDS' AMENDMENTS.

Lords' Amendments considered.

MR. W. E. FORSTER said, he would propose that this House do disagree with the Amendment, as it had been carried in the other House by a small majority only, and, as he thought it was only fair, when they were imposing the duty of providing education for the people on the school Boards, that those bodies should have the power of opening free schools where special circumstances rendered them necessary.

Amendment disagreed to.

MR. W. E. FORSTER said, he had to propose to agree to the Amendment, as far as requiring the Minutes to be laid on the Table of both Houses went—a regulation which now existed under the Education Code, and which the Government had no intention of withdrawing; but he would suggest that the period should be limited to one month instead of six weeks.

Lords' Amendment agreed to.

MR. W. E. FORSTER moved that the House do agree with the Lords' Amendments in respect of the Ballot at elections for school Boards.

MR. VERNON HARCOURT said, he wished, in perfect good humour, to say that as the House of Commons had sat up till 5 o'clock to insert in the Bill the plan of voting by Ballot, he should have expected that the Government would have insisted on retaining it. He only rose to point out that hon. Members on the Opposition side had been successful. Very little satisfaction had been given by the Government to Members on their own side during the passage of the Bill through the House of Commons. Having first adopted a real Ballot the Government afterwards turned it into a sham Ballot, and subsequently with, as it appeared to him, the acquiescence of the Government, the House of Lords struck out even the sham, and the Ballot was to be buried

for this year without one mourner from the Treasury Bench to follow it to the grave. It was the one little concession that had been made to the Gentlemen below the Gangway. Hon. Gentlemen opposite were in a hopeless condition last year when asserting principles which they had now the gratification of seeing embodied in this Bill; but as a minority had been thus successful, those who were in a minority below the Gangway might hope to be successful in their turn. Members on his side of the House had had their little success in reference to the Inclosure Bill, and now Gentlemen opposite had their great success in getting rid of the Ballot; but even with regard to the Ballot he hoped that the good fortune of hon. Gentlemen opposite to-day would be that of hon. Gentlemen on his side of the House at no distant day. As to the Bill itself, adopting words which Scott used in the conclusion of Rob Roy, he would say—"There are many things owe bad for blessing and owe gude for banning, like Rob Roy."

MR. W. E. FORSTER said, he was glad that his hon. and learned Friend (Mr. Vernon Harcourt) had treated the matter good-humouredly, and had concluded the long discussion on that subject with such a pleasant quotation. He thought the honours of the battle remained with those who had fought for the Ballot, because the election would be by Ballot in the metropolis, and it was in the metropolis the most important elections would be held between this and the time when it would be necessary to have fresh legislation in respect of the mode of election. The mode of election provided by this Bill would remain in force for only a year. He hoped his hon. and learned Friend would not be able to say after the next elections that the Ballot which would be applied was a sham. He thought that it would not be expedient to fight the question further in the present year. It was not a minority on either side who had succeeded in the case of this Bill. The success was on the part of an enormous majority in that House who were resolved to establish a system of truly national education.

MR. MUNDELLA said, that he had sat up till half-past 5 in the morning for the purpose of supporting the Ballot principle when it was proposed in this Bill. His hon. and learned Friend (Mr. Vernon Harcourt) had left the House

and gone to his bed at 1 o'clock. He thought that was a fair measure of the degree of zeal which each of them respectively had for the Ballot. He rejoiced to think that the vast majority of the House had shown that they were more anxious about national education than about individual crotchets. He was very grateful for what the House had done for education, and he would express his thanks to his right hon. Friend the Vice President of the Council for the manner in which he had carried the measure through the House. He did not believe that any other man in England could have done the work so well; and as his hon. and learned Friend had concluded with a prose quotation, he would conclude with a poetical one, and, referring to the Vice President, use words of Tennyson—

"One still strong man in a blatant land,  
Who can act, and dare not lie."

MR. M. CHAMBERS said, this matter of the Ballot was one of the greatest consequence, and he protested against its being treated in a humorous manner.

MR. ILLINGWORTH said, he must deny that the advocates of the Ballot had shown any want of interest in the question of national education. He did not regard the measure which was now passing through Parliament as by any means final, for it was not national in its proportions, was eleemosynary in its character, and it was unworthy of a popular and reformed House of Commons.

MR. SPEAKER said, this was not the occasion for a discussion on the measure.

*Lords' Amendments agreed to.*

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed :"—MR. WILLIAM EDWARD FORSTER, MR. GLADSTONE, MR. SECRETARY BRUCE, MR. KNATCHBULL-HUGGESSON, MR. STANSFELD, MR. ARTHUR PEEL, MR. DODSON, MR. CRAWFORD, MR. KAY-SHUTTLEWORTH, and MR. GLYN :—To withdraw immediately ; Three to be the quorum.

Reason for disagreeing to Lords Amendment reported, and agreed to.

To be communicated to The Lords.

STAMP DUTIES (re-committed) BILL.

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

[BILL 256.] COMMITTEE.

Bill considered in Committee.

(In the Committee).

Clauses 1 to 48, inclusive, agreed to.

*Mr. Vernon Harcourt*



Clause 49 (Interpretation of term "Promissory note").

MR. MAGNIAC said that, taking the clause in connection with the Schedule, it appeared that the stamp duty on a promissory note payable on demand would be charged at an *ad valorem* rate, while the duty chargeable on a bill of exchange would be only 1*d*. There was no reason for this difference, under which the promissory note would cease to exist.

MR. STANSFELD said, he failed to see any hardship in the provisions of the clause. He believed promissory notes payable on demand were very rare. [An hon. MEMBER: Not at all.] However, he was willing to consider the representations that had been made before the Report.

MR. M. CHAMBERS said, that a promissory note and a bill of exchange were substantially the same thing.

MR. ALDERMAN LUSK thought a case had been made out which had not been answered.

MR. BARNETT said, the Government had taken into consideration the suggestions of practical men, and had amended the Bill, so that, in its present form, there was no great objection to it; but he wished the Government to consider the propriety of changing the mode of distributing stamps and of utilizing some of the 8,000 post-offices of the country instead of paying poundage to distributors.

MR. MUNDELLA said, he thought there was a good deal of difference between a bill of exchange and a promissory note. The latter was not payable at sight, or on demand, and it might be for a year in the cash-box and never get into circulation. If hon. Members thought differently, let them try to discount a promissory note.

Clause agreed to.

Clause 50 agreed to.

Clause 51 (*Ad valorem* duties to be denoted in certain cases by adhesive stamps).

MR. MAGNIAC said, he would suggest that it would be a great advantage to the commercial world if the use of adhesive stamps were allowed in all cases upon bills of exchange, promissory notes, and other mercantile obligations, instead of the ordinary bill stamps. He did

not believe the Revenue would suffer. He hoped the Government would consider the question during the Recess.

MR. MUNDELLA hoped that this common-sense view would be adopted by the Department. Where an impressed stamp was spoilt by the bill being wrongly drawn, the principal was obliged to go before an official and make oath to that effect. This inconvenience would be avoided if adhesive stamps were used.

MR. WHITWELL said, he would remind the right hon. Gentleman of the importance in any case of preserving evidence of the date at which the bill was drawn.

MR. MACFIE said, he would ask that adhesive bill stamps should be sold at the post offices throughout the kingdom.

MR. M. CHAMBERS said, he feared that the Revenue would suffer if adhesive stamps were used. Such an arrangement might open the door to fraud, as the use of stamps could be avoided altogether in cases where no litigation resulted, and if litigation did arise, an adhesive stamp could be put on the bill at any time, months after the bill was really drawn.

MR. MUNDELLA said, that could not happen, because the bill must be stamped before it could go through a banker's hands.

MR. STANSFELD said, while he admitted the importance of the subject, it was impossible to discuss it now on a measure which was merely a consolidating measure.

MR. MUNTZ said, that every civilized country in the world except our own used adhesive stamps for these purposes, and no fraud could arise if the person drawing the bill had to write his signature across the stamp when the bill was drawn. He regretted that the Chancellor of the Exchequer had not listened to the appeal which had been made to him by an influential commercial body.

THE CHANCELLOR OF THE EXCHEQUER said, he wished to have it clearly understood that the Government did not in the least go into the merits of the question. Their object simply being to effect a consolidation of the Stamp Laws, with a view to future improvement, they had declined to make any changes of the nature proposed.

Clause agreed to.

Clauses 52 to 97, inclusive, *agreed to*.

Clause 98 (Directions as to duty in certain cases).

MR. STANSFELD said, he had to move the insertion of an additional sub-section, which had been drawn up in consequence of a suggestion made to him by his hon. Friend the Member for Edinburgh (Mr. McLaren). His hon. Friend had pointed out that in Scotland houses of £10 a year, or under, were never let for a shorter time than a year. Under the Bill, as it stood, tenements of that value would not have the benefit of the reduced stamp duty which similar property would have in England, because persons who were in the habit of renting their houses quarterly would only have to pay 1*d*. instead of 1*s*. stamp duty on leases for less than a year. He begged, therefore, to move a 5th sub-section, to the effect that no "lease or tack, in Scotland, of any dwelling-house or tenement, for any definite term not exceeding a year, at a rent not exceeding the rate of ten pounds per annum, is to be charged with any higher duty than one penny."

*Amendment agreed to.*

*Clause agreed to.*

*Remaining clauses agreed to.*

*Bill reported*; as amended, to be considered *To-morrow*, at Two of the clock.

#### BRITISH COLUMBIA BILL—(*Lords*.)

[BILL 257.] SECOND READING.

Order for Second Reading read.

MR. WHITWELL said, he would beg to ask the right hon. Gentleman the Under Secretary for the Colonies to state the nature of the new constitution proposed to be given to the Colony?

MR. MONSELL said, in reply, that under the provisions of the Bill the Governing Body would not be entirely nominated by the Crown as at present, but 12 out of the 15 members would be nominated by the people.

*Bill read a second time, and committed for To-morrow* at Two of the clock.

#### SHERIFFS (SCOTLAND) ACT (1853)

##### AMENDMENT, &c. BILL.

##### LORDS' AMENDMENTS.

*Lords' Amendments considered.*

THE LORD ADVOCATE: Sir, I propose that this House should agree to

the Lords' Amendments to this Bill, with one exception. I will explain in a few words how this matter stands. It was a subject of debate in this House when the Bill was read a second time, whether the provisions of the Act of 1838, which requires that each sheriff in Scotland be an habitual attendant of the Court of Session during the sitting of that Court was one that ought to be continued. The House resolved that question in the negative, and accordingly as the Bill passed this House and went to the House of Lords, Clause 13—the clause in question — contained these words—

"All sheriffs, whether appointed before or subsequent to the passing of this Act, are hereby relieved of the duty of attending the sitting of the Court of Session."

The House of Lords have deleted these words, and, adverting to the Amendment which omits them, I have to propose that they should in substance be re-inserted, although with a difference which I believe will be satisfactory—at least I have reason to hope so—to some of the noble and learned Lords who thought that there was something objectionable in the form in which they originally stood in the Bill. The Act of 1838 contains three substantive provisions relating to the subject—one regulating the qualification for the appointment to the office of sheriff, the qualification being that the appointee should be an advocate of three years' standing in practice, and in habitual attendance on the Court of Session. The second provision is, that every sheriff after his appointment shall continue not in practice, because that is a matter which is almost beyond the power of the Legislature, but shall continue an habitual attendance on the Court of Session. I have some reason to believe that it is supposed by some noble and learned persons "elsewhere" that the purpose of the clause in this enactment which the Lords have omitted, was to interfere with the qualification for the appointment to the office of sheriff prescribed by Act of 1838. That is not so. The purpose was not to interfere with the qualification for the appointment at all, but merely to relieve those sheriffs having been appointed who had ceased, whether from their own inclination or without reference to their own desire, from any active practice before the Court of Session, and the neces-



sity of habitual attendance in that Court, before which they were not practising; and accordingly I propose to omit the words as originally inserted in the Bill, and to substitute these words—

“And so much of the Act of the first and second Victoria, chapter one hundred and nineteen [that is, the Act of 1838] as provides that every sheriff, with the exception of the Sheriffs of the counties of Edinburgh and Lanark, shall, after his appointment, be in habitual attendance upon the Court of Session during the sittings thereof, shall be, and is hereby repealed.”

And I propose further to add, in order to prevent the possibility of any misconception as to interference with the qualification at present required for the appointment to the office of sheriff—

“That nothing herein contained shall affect the qualification for appointment to the office of Sheriff, as prescribed by the said Act.”

The clause, as I now propose to amend it, has therefore no other effect than to relieve the sheriffs, who are now reduced to the number of 15, from the necessity of attending habitually on the Supreme Court of Edinburgh, whether they are in practice before that Court or not. Of course, those who are now in practice will continue to attend the sitting of the Court without the necessity of any statutory obligations; but it appears to me and to those who framed the Bill that it was not required by those who are not in practice. Certainly, now that the jurisdiction of the sheriffs is largely extended and the number diminished, that restriction is more objectionable, and I would venture to say—if it is not too strong a word—more mischievous than it was before.

Amendment to the Lords' Amendment *agreed to.*

Lords' Amendment, as amended, *agreed to.*

THE LORD ADVOCATE: I have now to propose to the House to disagree with the Lords' Amendment as to the omission of Clause 14. This clause proposes to confer upon the Government a power, to be used by one of Her Majesty's principal Secretaries of State, from time to time to prescribe the number of sheriff-deputes to each sheriff town, and such places where they shall reside and attend to the performance of their duty. It is absolutely necessary that that power should be vested somewhere, and it humbly appears to me, and was the opinion of the House when the Bill was here formerly, that Her

Majesty's Government—the Government of the day—is the proper quarter in which to vest this power. The Government is the most direct and immediately responsible body in the country, and it would be entirely out of the question to regulate the number of sheriffs-substitute, or prescribe the places where they were to reside in the discharge of their duties, by Act of Parliament. For the exigencies of public business in the various districts of the country, it is desirable and necessary that there should be some intelligence to regulate the matter for the necessities of the particular districts at the particular time. The Royal Commissioners appointed to report on Scotch Judicature have recommended a variety of changes, and no doubt they will be in the main carried out; but they must undoubtedly be experimental, and from time to time the arrangements will be modified. As I said before, the power of doing so must be vested somewhere, and I have respectfully to submit that it ought to be vested in a body which is responsible like the Government.

*Amendment disagreed to.*

Committee appointed, “to draw up Reasons to be assigned to The Lords for disagreeing to the Amendment to which this House hath disagreed:”—The LORD ADVOCATE, Mr. Secretary BRUCE, Mr. STANSFELD, Mr. DODSON, Mr. GLEN, and Mr. ADAM:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to Lords Amendment *reported, and agreed to.*

To be communicated to The Lords.

ANNUITY TAX ABOLITION (EDINBURGH AND MONTROSE, &c.) ACT (1860) AMENDMENT BILL.

LORDS' AMENDMENTS.

Lords' Amendment *considered.*

SIR DAVID WEDDERBURN said, he rose to move in Clause 20, page 9, line 7, to leave out the word “male.” If the word were retained, the patronage would be invested in the Ecclesiastical Commissioners, who would have to appoint the minister in accordance with the desire expressed by the majority of the male communicants. Now, he thought that in a matter of this kind, the female members of the congregation would take a very strong interest, and would be glad to give effect to their opinions by taking part in the election of the minis-

ter. He might mention that the former Acts, which were somewhat numerous, vested the patronage in the hands of the communicants generally, and not in those of the male communicants exclusively. The present might, perhaps, be an unfavourable occasion for raising this question, and if he found that the learned Lord Advocate was unwilling to support his Amendment, he would not venture to press it.

THE LORD ADVOCATE: Sir, I shall not now go into the merits of the question which has been raised by the hon. Baronet. Indeed, the present is not a suitable opportunity for discussing the matter. This is almost a local Bill. There has been a long and bitter strife in Scotland as to its adoption, and large sacrifices and concessions have been made on both sides, in order to arrive at a settlement of the question. This is not a suitable occasion for determining the general question of woman's rights; and I am not disposed to send back the Bill to the House of Lords in order that that subject should be re-considered there. Consequently, I shall support the Lords' Amendment.

Motion made, and Question, "That this House doth disagree with The Lords in the said Amendment,"—(*Sir David Wedderburn*,)—put, and *negatived*.

Lords' Amendment *agreed to*.

Blank in the Bill filled up.

#### SANITARY ACT (DUBLIN) AMEND- MENT BILL—[BILL 254.]

(*Mr. Stansfeld, Mr. Solicitor General for Ireland*.)  
COMMITTEE.

Order for Committee read.

MR. CANDLISH said, he wished to know whether sufficient security had been taken for the repayment of the one-third of a million of money to be advanced to the City of Dublin for the execution of sanitary works. He desired to be informed what was the rateable value of the property upon the security of the rates of which the money was to be advanced, what was the rating limit, and how far the rates were already charged?

THE CHANCELLOR OF THE EXCHEQUER said, that the Public Loan Commissioners, who were to advance the money, could not by law charge less than 5 per cent interest; but it was in the

discretion of the Treasury to reduce that amount. The Loan Commissioners were an independent body of gentlemen, receiving no salaries from the Government, and exercising their own judgment in obtaining adequate security for the money—a duty which they had always discharged with the greatest fidelity, and it was a beneficial arrangement that that duty should not be thrown on the Government, who might be biased by political or Parliamentary pressure. In this particular case it was in the power of the Public Loan Commissioners to lend the money without an Act of Parliament, were it not that the Commissioners required more security than could be given without a special Act. The money was lent upon the security of the rates of the city of Dublin, for the purification of the river Liffey, which had become so offensive that the Judges administering the law in Dublin had applied to have some other place to hold their sittings at. The Government gave a guarantee in the case of London when the Embankment was made and other works undertaken. He durst say that Dublin would be glad to get a guarantee too; but instead of a guarantee they would advance the money. As the Public Loan Commissioners required power to appoint a receiver to receive the rates in case of default on the part of the Corporation, the present Bill was introduced to give them that power.

MR. ANDERSON said, in spite of the explanations of the right hon. Gentleman, the Bill was, in his opinion, most objectionable. The House ought not to allow it to pass, unless Parliament were always prepared to make advances to any town requiring similar aid for carrying out sanitary works.

MR. ILLINGWORTH said, he must protest against the system of borrowing from the Government for improvement purposes. The Bill was altogether peculiar.

DR. BREWER said, he could not agree that the measure was a peculiar one, because on several occasions the metropolis had borrowed money from the Government for improvement purposes.

SIR JOHN GRAY said, the authorities of Dublin were required to carry out the Sanitary Act of 1866, and the Bill was necessary to enable them to improve the Liffey, which was in a very noxious condition.

*Sir David Wedderburn*



Bill considered in Committee, and reported; as amended, to be considered To-morrow, at Two of the clock.

QUEEN ANNE'S BOUNTY (SUPERANNUATION) BILL.—[BILL 114.]

(Mr. Bouverie, Mr. Gathorne Hardy.)

COMMITTEE.

Order for Committee read.

MR. RYLANDS said, he objected to proceeding with the Bill. The Bill involved principles which could not be properly discussed at the present time, more particularly as next year the propriety of placing the management of the property of the Ecclesiastical Commissioners and of the Commissioners of Queen Anne's Bounty in the hands of one Board was to be considered by a Select Committee.

MR. BERESFORD HOPE said, he hoped they would not listen to the charmer on the other side, and hang up the question, merely because the Bill might give superannuation to an old gentleman who was 87 years of age, and had rendered to the commonwealth a service of 48 years. The Bill had been fully discussed on a former occasion, and he, having charge of the Bill, was prepared to accept all the Amendments proposed by the Government. He therefore hoped the hon. Member for Warrington (Mr. Rylands) would allow them to go into Committee.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Question put.

The House divided:—Ayes 64; Noes 18: Majority 46.

Bill considered in Committee, and reported; as amended, to be considered To-morrow, at Two of the clock.

JOINT-STOCK COMPANIES' ARRANGEMENT BILL.—[BILL 143.]

(Mr. Henry B. Sheridan, Mr. Serjeant Simon, Mr. Brogden.)

COMMITTEE.

Order for Committee read.

MR. CHADWICK said, he would beg to move that it be an Instruction to the Committee to extend the Joint Stock Companies' Arrangement Bill to other Companies in liquidation.

Motion agreed to.

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Instruction to the Committee to extend the Joint Stock Companies' Arrangement Bill to other Companies in liquidation.

Bill considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2 (Where compromise proposed Court of Chancery may order a meeting of creditors, &c. to decide as to such compromise).

Amendment proposed, in Clause 2, line 10, to leave out all the words after "between," to end of Clause, in order to add the words—

"A Company which is being or shall be wound up, either voluntarily or by the Court, under the Companies' Acts 1862 and 1867, or either of them, and the creditors of such Company, or any class of such creditors, it shall be lawful for the Court of Chancery on the application in a summary way of any creditor or the liquidator, to order that a meeting of such creditors or class of creditors shall be summoned in such manner as the Court shall direct, and if a majority in number, representing three-fourths in value of such creditors or class of creditors present either in person or by proxy at such meeting shall agree to any arrangement or compromise, such arrangement or compromise shall, if duly confirmed by an order of the Court, be binding on all such creditors or class of creditors, as the case may be, and also on the liquidator and contributories of the said Company."—(Mr. Chadwick.)

Amendment agreed to.

Clause agreed to.

Remaining clauses agreed to.

Bill reported; as amended, to be considered To-morrow.

OATHS OF ALLEGIANCE ON NATURALIZATION BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to amend the Law relating to the taking of Oaths of Allegiance on Naturalization, ordered to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary BRUCE, and Mr. SOLICITOR GENERAL.

Bill presented, and read the first time. [Bill 261.]

House adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS,

Friday, August 5, 1870.

MINUTES.]—PUBLIC BILLS.—First Reading—Stamp Duties\* (295); Stamp Duties Management\* (296); Inland Revenue Acts Repeal\* (297); Foreign Enlistment\* (298); Oaths of Allegiance on Naturalization\* (299).

*Second Reading* — Census (Scotland)\* (279); Glebe Loans (Ireland)\* (280); Post Office\* (281); Census (Ireland)\* (286); Meeting of Parliament (283); Canada (Guarantee of Loan)\* (284); Beerhouses\* (285); Constabulary Force (Ireland)\* (291); Public Schools Act (1868) Amendment\* (272); Militia Acts Amendment (No. 2)\* (293); Norfolk Boundary\* (275).

*Select Committee* — *Report* — Local Government Supplemental (No. 2)\* (229).

*Committee* — Real Actions Abolition (Ireland)\* [271]; Matrimonial Causes and Marriage Law (Ireland)\* (276-301).

*Committee* — *Report* — Petty Sessions Clerk (Ireland) Act (1858) Amendment\* (273); Larceny (Advertisements)\* (153).

*Report* — Turnpike Acts Continuance\* (292-300); National Debt\* (249); Statute Law Revision\* (250); Pedlars' Certificates\* (251).

*Third Reading* — Factories and Workshops\* (247); Gun Licences\* (241); Forgery\* (248); Census\* (264); East India Contracts\* (189); Brokers (City of London)\* (268), and *passed*.

#### REPRESENTATIVE PEER FOR SCOTLAND.

The Clerk of the Parliaments delivered a Certificate of the Clerk of the Crown that the Earl of Strathmore and Kinghorn had been elected a Representative Peer for Scotland in the room of the Earl of Haddington, deceased: Certificate read.

#### CHARITY COMMISSIONERS.

##### RESOLUTION.

THE EARL OF HARROWBY rose to call the attention of the House to a recent change made by the Charity Commissioners, which, in contradiction to the rules laid down by the Court of Chancery, made persons in the receipt of Poor Law relief eligible for participation in an endowment for the benefit of the poor, and to move a Resolution thereon. The case which was the immediate occasion of his Motion arose in a small parish in Suffolk, where, through the exertions of the rector, an endowment of £48 per annum had been recovered and appropriated to a distribution of fuel at Christmas to married labourers and widows who were householders resident in the parish, excluding such persons as were in the receipt of Poor Law relief. The Commissioners, at the instance of some of the trustees, had recently laid down a new scheme, which left to the discretion of the trustees the mode of expending the amount, and threw open the charity to all poor parishioners, provided that the trustees did not apply the funds di-

rectly or indirectly with a view of relieving or diminishing the poor rates of the parish. This order was at issue with the decisions of the highest legal tribunals, and the result would be that endowments intended for the relief of the poor would be diverted to the relief of the ratepayers. Moreover, the recipients of the charity, who had hitherto regarded the dole as a right, would have to beg for it, and would regard it as a humiliation. This was not a single case, and unless Parliament intervened the door would be opened to great abuses.

*Moved* to resolve, That having regard to the change recently introduced by the Charity Commissioners into the administration of endowments for the benefit of the poor, the Court of Chancery having always hitherto held that such endowments are not applicable to persons in permanent receipt of parish relief, it is not expedient that the principle laid down by the Courts should be overruled, as inevitably tending to convert endowments intended for the relief of the poor to the relief of the ratepayer.—(*The Earl of Harrowby*.)

THE LORD CHANCELLOR said, that, having communicated with the Commissioners on this subject, he had ascertained that the order in question was identical with orders which they had long been in the habit of issuing, without having encountered a single expression of dissent or dissatisfaction except in this one case. In some cases the Court of Chancery had laid down the rule that persons who had once received parochial relief should be disqualified from participation in charitable endowments; but, this provision having been felt to be too harsh, numerous trustees had taken orders in the present form. The Commissioners were most anxious to secure the same object as the Court of Chancery — namely, that endowments intended for charity should not be applied to the purposes of Poor Law relief. In the present case the rector had taken a view of the case quite at variance from that taken by his co-trustees, and had published a volume of 100 pages on the subject, which only shewed that he had entirely misunderstood the effect of the order; for to turn it to any diminution of the rates would be a positive infraction of it. The noble Lord, in bringing this matter before the House, had attempted to make them a Court of Appeal in a very extraordinary fashion. They were, no doubt, the highest Court of Appeal, but they were not accustomed to decide a question in that capacity—



by a Resolution on a Motion. He must, therefore, be excused from expressing any opinion on the matter, further than to say that an order of the Charity Commissioners would not have the least effect in overruling a decree of the Court of Chancery.

THE EARL OF HARROWBY, while withdrawing his Motion, insisted that the order conflicted with the principle which the Court of Chancery had always jealously guarded.

Motion (by leave of the House) *withdrawn*.

#### MEETING OF PARLIAMENT BILL.

(No. 283.)

(*The Earl Granville.*)

#### SECOND READING.

EARL GRANVILLE, in moving that the Bill be now read the second time, said, its object was to amend the 37 *Geo. III. c. 127*, and the 39 & 40 *Geo. III. c. 14*, by which the period limited for summoning Parliament to meet was at present regulated. The period at present fixed was any day not less than 14 days from the day of the date of the Proclamation summoning Parliament to meet. The present Bill simply shortened that period to six days.

Motion *agreed to*.

Bill read 2<sup>a</sup> (according to Order), and committed to a Committee of the Whole House *To-morrow*.

House adjourned at a quarter past  
Six o'clock, till To-morrow,  
Twelve o'clock.

#### HOUSE OF COMMONS,

*Friday, 5th August, 1870.*

MINUTES.—PUBLIC BILLS—*Second Reading*—*Oaths of Allegiance on Naturalization* [261]; *Judicial Committee* [249]; *Divine Worship in Licensed Buildings*\* [245].

*Committee—Report*—Consolidated Fund (Appropriation); Ecclesiastical Titles Act Repeal [231]; Oaths of Allegiance on Naturalization [261]; Truck Commission\* [252]; British Columbia\* [257].

*Considered as amended*—Sanitary Act (Dublin) Amendment\* [254].

*Considered as amended—Third Reading*—Stamp Duties\* [256]; Truck Commission\* [252]; Expiring Laws\* [253]; Queen Anne's Bounty (Superannuation)\* [114]; Joint Stock Companies' Arrangement\* [143], and *passed*.

*Third Reading*—Stamp Duties Management\* [220]; Inland Revenue Acts Repeal\* [146]; Foreign Enlistment [258]; Oaths of Allegiance on Naturalization [261], and *passed*.  
*Withdrawn*—Lodgers' Goods Protection (*recomm.*)\* [185].

The House met at Two of the clock.

#### COST OF THE CRIMEAN WAR.

##### QUESTION.

MR. LAMBERT said, he would beg to ask Mr. Chancellor of the Exchequer, The cost to the Nation of the Crimean War, and how the money to meet it was raised?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that to give the cost of the Crimean War would be an analysis of the Votes which he did not feel called upon to enter into. He might state in general terms the manner in which the money was raised. There was an increased funded and unfunded debt of £40,000,000, and the rest was raised by taxes during the time the war continued—about as much more—but that could be ascertained by the hon. Gentleman on reference to the Estimates. Altogether the cost was about £80,000,000.

#### INDIA—BOMBAY MILITARY FUND.

##### QUESTION.

MR. DICKINSON said, he wished to ask the Under Secretary of State for India, Whether the Actuary's Report on the Bombay Military Fund has yet or when will it be made?

MR. GRANT DUFF: In reply, Sir, to my hon. Friend, I have to say that the Actuary's Report was received on the 1st of August. It shows that the fund is in deficit. This being so, no increase can of course be made to the pensions; but they will be continued at their present rate under the guarantee given by the Secretary of State and confirmed by Parliament.

#### STORM WARNINGS.—QUESTION.

COLONEL SYKES said, he wished to ask the Secretary to the Board of Trade, What number of storm warnings have been transmitted by the Meteorological Committee of the Royal Society to places on the British and Irish Coasts since last October; what number have been followed by storms; and what number of such warnings have not been followed by storms, and where such failures have occurred?

MR. SHAW LEFEVRE: Sir, in reply to the hon. and gallant Member's Question, I have to state that I have been informed by the Meteorological Committee, that since October in last year 55 storm signals have been transmitted to places on the British and Irish Coasts. With regard to the number of signals followed by storms the hon. and gallant Member seems to have misunderstood the meaning of the signals. In the notices issued with reference to this subject, I find the following:—

“The hoisting of the drum does not imply any prophecy of wind or weather; it is only intended to convey information that there is an atmospheric disturbance somewhere which may possibly reach the place where the signal is hoisted, and the knowledge of which is likely to be of use to the mariners and fishermen of that part of the coast.”

In conclusion, I have to state that the Board of Trade are not responsible for these details. The work has been handed over to a committee of most eminent scientific men appointed by the Royal Society, and the Board of Trade exercise no control over their storm signals, any more than over the storms which may follow them.

#### IRELAND—ROYAL DOCK AT HAWLBOWLINE.—QUESTION.

MR. MAGUIRE said, he would beg to ask the First Lord of the Admiralty, Whether, considering the necessity which has arisen for demanding a Supplemental Vote for the better defence of the country, it is the intention of the Government to press on the works of the Royal Dock at Hawlbowl, so as to secure its completion in a shorter period than five years from the present time, as now estimated?

MR. CHILDERS said, in reply, that there were considerable demands for the acceleration of local works at the present time. The hon. and gallant Member for Stamford (Sir John Hay) proposed to ask a Question with regard to works on the East (at Chatham), and his hon. Friend the Member for Portsmouth (Sir James Elphinstone) intended to ask a Question about works on the South Coast. It was impossible for him to say off-hand to what extent it would be wise or proper to comply with these extensive demands; but he might state that they had already accelerated to a considerable extent the speed of the works at Hawlbowl.

*Colonel Sykes*

bowline, and he could promise that due attention would be given to the subject.

#### INDEPENDENCE OF THE KINGDOM OF BELGIUM.—QUESTION.

SIR GEORGE JENKINSON said, he would beg to ask the First Lord of the Treasury, Whether, in view of the proposed Secret Treaty between France and Prussia, the existence of which has been substantially admitted by both those Powers, and considering that the independence of the Kingdom of Belgium has been guaranteed by Great Britain, in conjunction with other Powers, he will state for the information of this House whether, in the event of any attempt being made by either of the belligerent Powers to carry out the provisions of that proposed Secret Treaty, so as to interfere with the independence of the Kingdom of Belgium, Her Majesty's Government will take immediate and effectual steps to enforce the Treaty of 1831; and, whether they have taken any, and if so what steps, and with what result, to secure the co-operation of the other Powers who are parties with Great Britain to the Treaty of 1831, and especially as to the twenty-fifth Article of that Treaty?

SIR JOHN GRAY said, that before the right hon. Gentleman answered the Question, perhaps he would allow him to ask another arising out of it, and of which he had given him private Notice. The Question was, Whether it is not true that the second Article of the Treaty of 1839 declares the Treaty of 1831 not to be obligatory upon the high contracting parties? This Treaty was signed by their Majesties, the Queen of the United Kingdom, the Emperor of Austria, the King of Hungary and Bohemia, the King of the French, the King of Prussia, the Emperor of all the Russias, and the King of the Belgians.

MR. GLADSTONE: Sir, there is no doubt whatever that the Treaty of 1831, to which the hon. Baronet's Question relates, has passed entirely out of existence. The Treaty of 1839 is that under which the relations of the contracting Powers with Belgium are at present regulated. With respect to the Question of the hon. Gentleman, I think he must almost have anticipated that it is totally impossible for me to explain the acts or intentions of Her Majesty's Government



in a matter of this very grave character in answer to a Question. I stated on a former evening, and the subject has been mentioned in the other House with somewhat more fulness, that the Government have taken into consideration the whole state of the case in relation to the projected Treaty as it is called, and they have adopted such steps as appeared to them best calculated to establish confidence and security. I am afraid I cannot now add anything to that statement. We wish to communicate every information to Parliament at the earliest moment, and I have the hope that we shall be able to communicate to the House in an authentic manner some further information on the subject.

SIR JOHN GRAY said, Perhaps the right hon. Gentleman will state whether the second Article of the Treaty of 1839 declares the Treaty of 1831 to be no longer obligatory upon the signatories.

MR. GLADSTONE: What is the page of Treaty to which my hon. Friend refers?

SIR JOHN GRAY: Page 39.

MR. GLADSTONE: Then that is so.

#### NATURALIZATION ACT.—QUESTION.

MR. CAMPBELL said, he would beg to ask the Secretary of State for the Home Department, How soon he expects to be in a position to grant Letters of Naturalization to Foreigners resident in this Country, under the provisions of the Naturalization Act of this Session?

MR. BRUCE said, in reply, that immediately after the passing of the Act the Home Office undertook the task of framing the necessary regulations. This involved most important questions, inasmuch as the conditions of naturalization were very much altered by the Bill. The effect of it was to render naturalization much more complete, while at the same time it exacted new conditions. It was necessary to communicate with the Foreign Office, and it was found that very considerable difficulties arose in consequence of some defects having been discovered in the Act. The opinion of the Law Officers of the Crown had been taken, and a Bill was introduced last night which he had no doubt would be passed into law. Immediately that was done the regulations which had been prepared would be issued.

#### ARMY—PRODUCING POWER OF OUR ARSENALS.—QUESTION.

CAPTAIN BEAUMONT said, he would beg to ask the Secretary of State for War, Whether he still adheres to the belief that the producing power of our Arsenals is sufficient to enable us in three weeks to replace such an amount of ammunition as was expended during the Crimean War; and, whether it is correct that there are not rifled guns sufficient to meet one-tenth of the requirements of the new Fortifications; that the only shields mounted are in forts at Gibraltar and Bermuda, there being none in position in England; that there are no torpedoes in store, and that we have not a single unit of field telegraphs ready?

MR. CARDWELL: Sir, my hon. and gallant Friend has not quite correctly quoted what I said. I laid down as a principle that it is not expedient to keep excessive stores of articles which are liable to deterioration by keeping, are subject to change of pattern, and of which our powers of production are great. In illustration of this remark I repeated what had been said to me at Woolwich, that in a few days all the small-arm ammunition, and in a few weeks all the ammunition consumed at Sebastopol, might be produced at Woolwich. Speaking of small-arm ammunition, I said that we could produce 1,500,000 rounds in a week. I may now say that our powers of production can be increased to 2,000,000 rounds. I may also say that in 1868 37,000,000 of rounds were condemned, having been spoiled by keeping. As regards projectiles for ordnance, there have been great changes since the time of the Crimean War. The guns are heavier and less numerous, and consequently the projectiles are so too. I am assured by the Director of Artillery that projectiles for every gun will be ready, as soon as the gun can be mounted, up to the usual supply, and that there is no fear of any inconvenience from deficiency of projectiles. As regards guns for armaments at home and abroad, of muzzle-loading rifled guns there are now in position just one-tenth of the number which will be required when the works are complete. There are ready, and making in the course of this year, all that were contained in the demand of the Engineers for the year, with a con-

siderable surplus. In all, except the heavy muzzle-loading rifled guns, the supply is ample. The remaining muzzle-loading rifled guns are to be completed so as to be ready as the works are completed. It is quite true that the shields are not yet in position, and that there are no torpedoes in store. The shields will be put up without any unnecessary delay, and the subject of torpedoes has been under the joint and careful consideration of the Admiralty and the Engineers, and torpedoes are now about to be made. They require great care and skill in design, and no long time for manufacture. The unit of telegraph equipment on the peace footing is below that which would be maintained on the war footing; but it is susceptible of ready expansion, and there is no difficulty as regards either men or stores.

#### ARMY—MILITIA ARTILLERY.

##### QUESTION.

MR. BOURKE said, he would beg to ask the Secretary of State for War, With what Guns the Militia Artillery are at present trained; and, whether the attention of the War Department has been called to the necessity of inquiring whether Officers now serving in Militia Regiments are prepared to continue their services should their Regiments be "embodied?"

MR. CARDWELL: Sir, the Militia Artillery have always been trained with smooth-bore guns. As to the second Question, I have not thought it necessary to inquire whether Militia officers are prepared to discharge their duty. But I am already in possession of many proofs of zeal which outrun the demands of duty.

#### ARMY—EXPORT OF HORSES.

##### QUESTION.

SIR HARRY VERNEY said, he would beg to ask the First Lord of the Treasury, Whether, considering that the present large exportation of horses will raise the price of horses to ourselves beyond the usual amount, and that it may cause embarrassment to us in case it should become desirable to increase our Cavalry, Artillery, and Transport Corps, Her Majesty's Government will take into their consideration the propriety of stopping that exportation?

MR. GLADSTONE: Sir, Her Majesty's Government have no intention of

*Mr. Cardwell*

interfering with the exportation of horses. ["Oh!"] I do not think that any state of circumstances, except a very grave state indeed, would justify it. I think my hon. and gallant Friend has been misleading himself by rumours abroad. ["No, no!"] Well, I think so. I do not know what the total number of horses in this country may be; but I should think they must be counted by millions. There is no doubt about it. Well, now, what has been the extent of this trade since the 1st of July, 1870? Great alarm has taken possession of the mind of my hon. and gallant Friend and others, and almost incessant questions have been asked on the subject of the exportation of horses. Well, the total exportation of horses to the Continent of Europe during that time has amounted to 1,288. The particulars may be regarded as somewhat curious, and I may just read them. The exportation of horses since the 1st of July down to the very latest date, the 5th of August, has been as follows:—Russia, northern ports, 2; Hamburg, 23; Holland, 14; Belgium, 569; Channel Islands, 1; France, ports without the Mediterranean, 679; total, 1,288.

#### ARMY—THE ARTILLERY.—QUESTION.

MR. OSBORNE said, he would beg to ask the Secretary of State for War, Whether any portion of the Supplementary Estimate of £2,000,000 will be expended in placing the batteries of the Field and Horse Artillery in an efficient state, as regards men, horses, and equipment?

MR. CARDWELL: Sir, I have no objection to state that, although the money is voted as a general Vote of Credit, some portion of it will undoubtedly be applied to the purposes mentioned by the hon. Member.

#### STATE OF THE NAVY.—QUESTION.

MR. EYKYN said, he would beg to ask the First Lord of the Admiralty, If the present state of the Navy is sufficiently satisfactory to warrant his allowing the Session to close before asking for a Vote of Credit and additional Men for the use of Her Majesty's Navy?

MR. CHILDERS said, he thought his hon. Friend must have asked the Question under some misapprehension. The £2,000,000 were voted both for naval and military purposes.



## CONSOLIDATED FUND (APPROPRIATION) BILL.—COMMITTEE.

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR JAMES ELPHINSTONE said, he must, in the first instance, correct the statement of his right hon. Friend the Secretary of State for War with regard to fortifications, for he had been given to understand by the highest authority that at Portsmouth the fortifications of Portsdown Hill were ready for their guns, but their guns were not ready for them. He rose, however, to draw the attention of the House to the state of the Navy and of the naval stores and dockyards. The right hon. Gentleman the Secretary of State for War had entered fully into the circumstances connected with his own branch of official duties, and an expectation had naturally been entertained that, with regard to the naval part of the question, a full statement would also be made. The Vote, however, passed without explanation, and now Members were obliged to fall back on the opportunity afforded by the Appropriation Bill to draw attention to the most material points connected with the naval defences of the country in the present position of European affairs. We had 53 iron-clad ships, of which three were on foreign stations, and we had a large number of small vessels of the *Research*, *Wyvern*, and *Waterwitch* class, some of which had been sent to Bermuda, where, being unfit for sea, they were used as harbour defences. Secondly, the country possessed a large number of wooden ships plated with iron, which were all broadside ships. Thirdly, there were the ships built of iron and iron-plated, many of them, however—like the *Warrior*, the *Black Prince*, the *Achilles*, and others—not being of the thickness necessary to resist the present artillery, and again being broadside ships. Lastly, there were the class of ships consisting of the *Captain*, the *Monarch*, the *Bellerophon*, and the *Hercules*, which, properly speaking, constituted the Navy of the country. He wished to know from the right hon. Gentleman what steps he proposed to take for increasing the number of effec-

tive ships of this class? Sir Thomas Symonds, under whose eye the experiments with the *Captain* had been carried out, in a Report issued yesterday, stated that she was a most formidable ship, and that by her superior armament, he believed, she could destroy all the broadside ships of the fleet in detail. The *Monarch* was the only vessel partaking in any degree of the immense powers of the *Captain*; but there were two other turret-ships, the *Royal Sovereign*, and the *Royal Albert*, and these four together formed practically the Navy of this country. In 1862 Captain Coles brought out his invention, and he (Sir James Elphinstone), with other Members, then maintained that this was the way in which weights ought to be placed on board a ship, so as to enable her to fight her guns in a seaway. In the eight years which followed every possible obstacle was raised to frustrate the efforts of Captain Coles; but now that the *Captain* had been launched and tried she was found to be perfectly steady and to answer every expectation that seamen had formed of her. Had his advice been listened to in 1863 the country would now be in possession of 10 *Captains*, and might snap its fingers at all the navies in the world. But, in fact, we had only four turret-ships, and Reports before the House established that if once the enormously long broadside ships we possessed got into a *mêlée* it would be impossible for them to turn, and they would be at the mercy of the *vaisseaux béliers* of the enemy. There was one class of vessels in which we were particularly deficient. What would be much required in future wars would be vessels of light draught, carrying large guns upon turn-tables, and he believed that the Admiralty had in their possession a design of a most formidable and efficient gunboat drawn by Admiral Elliott. The right hon. Gentleman at the head of the Government had deprecated what he called "sporadic" armaments. But remembering the number of our Colonies, and the enormous extent of our trade, he believed that small squadrons in different parts of the world had often proved the salvation of our commerce. Had there been a little of this "sporadic" element in the East at the right moment our unfortunate countrymen, probably, would not have been sacrificed in Greece. The singular inconsistency was that a Govern-

ment which thus objected to "sporadic" armaments should have purposely sent out a large and efficient flying squadron to the most distant parts of the world. At the very moment that the country wanted to have its ships at hand, these were cruising somewhere between Otaheite and Valparaiso. What he wished to know was, whether any more ships of the *Captain* class were going to be laid down, and when? Whether the number of small vessels was to be increased? And whether the foreign stations were to be strengthened by such small vessels as we had now in use? Next, with regard to men. He was informed on good authority that both the Navy and Marines were exceedingly short of men—that at Portsmouth there were not more than 1,000 men available, and of these the *Rodney's* crew constituted the larger proportion. If, therefore, this increase of the Navy was to be made which was now confidently expected, he wished to know where the men were to come from? Then, as to the equipment of the ships. Admiral Cooper Key reported that there had not been a coil of 4 or 4½ inch rope at Portsmouth for eight weeks before he left. The ropery was done away with, the ropemakers discharged, and new machinery was to be put up at Chatham. But, meanwhile, rope was not made, there was no rope in store, and, consequently, ships were obliged to wait nearly two months before they could get rope for their running rigging. When the fleet arrived, the sailmakers were sent on shore to repair the sails belonging to the ships, which were unbent for that purpose; but though the sailmakers had their needles, there was no twine, and they actually had to send out into the streets for twine to keep them going until some could be procured from Chatham; and actually until within the last 10 days, when 50 tons of rope were sent down by railway, the Channel Fleet was unable to refit. The *Monarch* applied nearly two months ago for 2,000 fathoms of 4½-inch rope, but could not obtain what she wanted till 10 days ago. Another material of some consequence on board a vessel of war was shot. On Sunday last, the *Monarch* and the *Captain* had each only 15 rounds of shot on board, and no more was to be got. The machinery at Woolwich could only turn out eight or ten of those 15-inch

shot per day, and those two ships which ought to have had 220 shot between them, had only 30 on board. Thus, these fine ships, with sails bent and running rigging rove, were detained simply because there was only one-fourth of the amount of shot ready which they ought to have on board. As to coal, he did not hesitate to state that the quality now supplied to the fleet was essentially bad and smoky, and did not get up steam in the proper manner. Engineers asserted that 4 tons of good Welsh coal would be better than 5 tons of the kind now supplied. If the right hon. Gentleman entertained any doubt on this point, let him ask His Royal Highness the Duke of Cambridge his opinion of the coal burnt on board the *Black Eagle*, when that yacht was sent to bring His Royal Highness back from the inspection of the Western forts. Formerly, the process of victualing was performed in 24 hours from the time that the order was received; but since the naval element had been eliminated from the victualling yard from four to five days were occupied in the same process. The bread was not so good as it ought to be, nor anything like it. Then the soap was manufactured as it was required. The first thing that a lady, who was a good housekeeper, did was to lay in a 12 months' supply; but, in this case, the Secretary to the Admiralty manufactured from hand to mouth, and the consequence was, the soap disappeared in the scrubbing. Now, though the Secretary to the Admiralty had told him that he often got hold of the "wrong end of the stick," he maintained that the oil principally used was deficient in every quality it ought to possess. Rangoon oil was a description of rock oil—at least, it was so in his early days—and it was now introduced into the Navy. It ought never to be applied to machinery. The Secretary to the Admiralty had told the House that there was something like 10 years' stock of sperm oil at Portsmouth; but when the matter came to be investigated, it was found that the stock was something like 10 tons. It would not be surprising if, in consequence of the inferior kind of oil that was used for the purpose of binnacle lamps and side lights, there should be an accident some hazy night. The next point was as to the position of our dockyards with re-



gard to repairing ships. In 1864 or 1865, he sat on a Committee to consider a proposed extension of the works at Portsmouth and Chatham. They recommended the construction at Portsmouth of large docks and basins—which had not yet, except in a very small degree, been completed—and the cutting through of St. Mary's Island at Chatham, by which that dockyard would be considerably enlarged, and, in the event of hostilities, might enable us to keep a fleet in the North Sea. They always contemplated keeping Sheerness. In fact, it was admitted by all persons acquainted with the subject that it would be a serious blunder if, from economical motives, they were to do away with Sheerness. They reported that, in the event of Chatham being completed, the dockyards in the river might, to a great extent, be dispensed with as regarded building purposes; that Deptford might be devoted to victualling, and that Woolwich would possibly be required for the purposes of the War Department; but it never entered into their minds to suppose that the Government were going to throw away those dockyards as they had done. One portion of Deptford Dockyard was still maintained for purposes of victualling; the other portion was divided into two parts, over one of which the Evelyn family held a sort of lien. It could not be sold without their sanction, and they had consequently bought it. The other part was sold for some £30,000 or £40,000 below its value to a brother of the Solicitor to the Admiralty. That purchase, however, had not been concluded, and he hoped the right hon. Gentleman would take advantage of that circumstance to resume the property, or, at all events, not part with it for anything below its value; for it was well known in the City that the gentleman to whom he had referred had been offered by a private company an additional sum of £30,000 for his bargain. Woolwich was one of our best dockyards; it was the only one in the kingdom that was perfectly safe from any aggressive Power that might get hold of the mouth of the Thames, and yet it had been dismantled, the stock sold for a wretchedly depreciated sum, the iron flooring torn up, and, if what was stated in public prints eminently favourable to the Government was true, when the dockyard was surveyed for the purposes

of the War Department, it was found that in its present state it was perfectly useless. He (Sir James Elphinstone) stood there single-handed, conceiving it his duty to the country to bring those circumstances before the House, for he was sorry to say that the Friends who had supported him, from causes which were patent, had left London. He had no doubt the right hon. Gentleman would contradict a great many of his statements; but he was perfectly convinced of their truth, and he felt that he would not be doing his duty to the country if he did not call upon the right hon. Gentleman to say what he intended to do in the way of laying down ships, increasing the number of small vessels, and strengthening the force on colonial stations; and whether he was not now prepared to admit, after the experience he had had, that the system inaugurated by himself and the Secretary to the Admiralty, which they considered quite sufficient for the palmy days of peace, would, in time of war, lead us into disgrace?

MR. CANDLISH said, he rose, at the special instance of his constituents, to express their satisfaction at the policy of non-intervention pursued by Her Majesty's Government. He was exceedingly glad that the Government had not adopted the warlike tone of professional Members in that House, and that, notwithstanding all the stimulants that had been applied, they still retained possession of their senses and maintained that calm attitude which became a country conscious of its power and of its readiness to meet any emergency. A large meeting of his constituents had been held last night, and they had commissioned him to express their entire satisfaction with the policy of Her Majesty's Government. He trusted that we should pursue our way without any participation in the great crime which now disgraced the Continent of Europe.

MR. CHILDERS: Sir, I waited for a moment to see whether any hon. Gentleman would rise to continue the discussion, and, as no one has done so, perhaps the House will permit me to express the hope that after the reply I will endeavour to make the debate on this subject will not be pursued, but that we shall be allowed to go on with the Public Business. I have a right, I will not say to complain, but to question the wisdom of the particular course

which the hon. and gallant Baronet (Sir James Elphinstone) has taken. It is some months since I stated, at considerable length, upon opening the Navy Estimates, what we were doing in every possible branch of the service. We have had since then several lengthened debates on the Estimates, and every point which the hon. and gallant Baronet has raised has been the subject of full discussion. But now, at the very fag-end of the Session, when my hon. Friend is left blooming alone, we have had over again all the old grumbings, and I am called up to answer in detail, without any Paper to refer to, every question which has been answered several months ago, and to make a fresh exposition of our naval policy. I do not think that the House will require this of me. Except in passing the Vote of Credit, I cannot think that the House really expected that I should go into these details. A general statement was made by me, when the question was raised by the right hon. Gentleman the Member for Buckinghamshire; the Vote of Credit was then asked, and then the Report was taken in the usual course. Assuredly those were the opportunities for discussing our naval preparation, when the House was full, and public attention was called to the subject. But now the hon. and gallant Baronet comes down at the last moment and says we have got no ships, small or great, turret or broadside, no men, no boys, no rigging, no shot, no coal, no bread, no soap, no oil, and, finally, that we have sold a dockyard to the brother of the Solicitor to the Admiralty. I will give an answer of only one sentence to each question. I stated the other day the number of ships that we have, both large and small, and I have only to repeat that the figures I then gave were quite correct. I need only now say that the state of our Navy in respect to ships, as previously described by me, is highly satisfactory. Then my hon. Friend says that we are short of men and Marines. I say we have more Marines on shore at this moment than are provided by the Estimate; and, as to men, we have not only a full, but an abundant supply. Last week's number of men, exclusive of boys and Marines, was something in excess of the fixed number; and, therefore, in regard to men, there is no ground of complaint whatever. Then my hon.

*Mr. Childers*

Friend alleges that we have no rope; but his real complaint is a local one—namely, that we have no ropery at Portsmouth, because some time ago the ropery there had been discontinued. We have in hand more than an average stock of rope, as my hon. Friend the Secretary to the Admiralty described the other night; and, as to what I must call the cock-and-bull stories about ships being kept two months at Portsmouth for want of rope, not one ship, so far as I am aware, has been kept there one hour beyond the proper time for her sailing, and all the ships that have left went away with a full supply of rope. My hon. and gallant Friend said the *Captain* and the *Monarch* were short of shot. He is quite mistaken in his figures; but as I shall have to answer, in detail, a Question on that subject from the hon. and gallant Member for Stamford (Sir John Hay) on Monday, I will defer going more fully into that matter. My hon. and gallant Friend next stated that our coal is bad; that if we referred to any naval officer he would tell us so; and he hinted that we might inquire of His Royal Highness the Duke of Cambridge on the point. I am not aware that His Royal Highness the Duke of Cambridge is a naval officer, and although I certainly have the greatest respect for his judgment on the subject of coal, as on any other practical question, I really must decline to open communications with the Horse Guards on this subject. I have laid on the Table very voluminous Papers on this coal question, and I shall be prepared thoroughly to discuss it next Session; and, although the people of South Wales will, doubtless, say a good deal in favour of the Welsh coal, and the people of the North of England a good deal in favour of the north country coal, I do not doubt that the decision we have taken in this matter will be fully borne out by the official Reports. With regard to the victualling arrangements, there is no foundation whatever for the strictures that have been passed upon them. The charge that we have no victuals is a perfectly new one, and my noble Friend the Member for Ripon (Lord John Hay), who has charge of that department, informs me that the victualling yards are unusually well supplied. Their condition has lately undergone great improvement, they are in excellent order, and that there has not been a single complaint on the subject.



My hon. and gallant Friend asks about soap. I can only say that this is the first I ever heard of any deficiency. As to oil, again, if there ever was a question most completely disposed of it was that of oil by my hon. Friend the Secretary to the Admiralty, who the other night showed that my hon. Friend did not really know what Rangoon or sperm oil was; that he was entirely mistaken as to what oil was lubricating and which was not—that, in short, his whole facts were baseless and his conclusions equally so. However, since these imputations were made, we have looked into the matter again, and have found nothing whatever which should disturb the arrangements that we have made. After alleging that the Navy has nothing to eat, no ammunition, no ships, no men, and so forth, my hon. Friend at length came to something that, in his opinion, we have too much, and that is the Flying Squadron. Well, we had a debate the other night on that, and I thought we had satisfactorily disposed of it. Our policy is to reduce our force on foreign stations, and by bringing together ships in flying squadrons we can more easily make them immediately available for home defence than if dispersed in single detached ships. Then, with reference to the sale of certain dockyards, my hon. Friend says he sat in 1864 or 1865 on a Committee which went very carefully into the question of the dockyards, and recommended that certain great works should be carried out at Chatham, in order that we might have there a very effective place to refit our fleets, but that until those works were completed up to a certain point, we should delay disposing of our smaller dockyards. It is really almost too ludicrous, but I have sent for the Report of that Committee, and from beginning to end there is not a word in it about Chatham, except a recommendation that convict labour should be employed at certain other stations as well as there. The Report deals only with Portsmouth, Devonport, and some foreign stations. As to my hon. Friend's notion that the Committee recommended that the sale of the smaller dockyards should be made contingent on the completion of those works at Chatham, that recommendation only exists in his lively imagination; but I suppose my hon. Friend has said this so often that at last he got to believe it. The

Chatham works were settled by a Committee some years before, and not by the Committee on which my hon. Friend sat; and the particular recommendation as to the smaller dockyards was made without any reference whatever to Chatham. If, however, his position is correct, our predecessors, not we, are to blame, for one of these dockyards was closed by them before we came into Office. My hon. Friend said that Woolwich Dockyard, and especially Woolwich Factory, would be useful for repairing our iron-clad ships; but, in fact, except vessels of that very low class which my hon. Friend said he would throw out of his calculation, no considerable iron-clad ship could go into Woolwich Dockyard. No iron-clad that we have in commission at the present moment, except those of the lowest class, could get into the basin at Woolwich or out of it. So there is nothing whatever in the suggestion—so often repeated—that we have been improvident, so far as the repairs of our great iron-clads are concerned, in dispensing with Woolwich. But I have one serious fault to find with my hon. Friend. He says that Deptford Yard had been sold to a brother of the Solicitor to the Admiralty. Now, the question of the sale of Deptford Yard was gone into very fully some time ago in this House, and it was shown that the assertions which first appeared anonymously in a newspaper on the subject had not a shadow of foundation. This is not a question of more or less ships or stores; but it affects the honour of a gentleman of character and position, formerly a Member of this House, and now in a highly responsible office. I must put it to my hon. Friend whether it is consistent with his duty, after a personal question has been raised and disposed of, to re-introduce it without Notice, throwing out reckless insinuations without pretending to prove them; and especially at this time of the Session, when they cannot be dealt with, except by indignant denial.

MR. LAIRD said, that having served on the Committee that had been alluded to which dealt with the question of the dockyards, he thought it right to state his opinion that the Government could not have done otherwise than take steps for closing Woolwich and Deptford Dockyards. The evidence adduced before that Committee showed most clearly

that if proper enlargements were made at Chatham, Plymouth, and Devonport, we should have in those three dockyards enough accommodation to do all the work which could possibly be required for the Navy. Woolwich was not suitable for large ships, and there would be sufficient accommodation at Chatham for any ships that might be disabled in the North Sea.

SIR GEORGE JENKINSON said, a statement had been made to-day which he thought was calculated to give rise to a misunderstanding. He should be sorry to think that the Government were of opinion that our Treaty obligations in respect of Belgium were abrogated. It was important that the country should understand that there was no abrogation of our duty to defend Belgium, and, therefore, he hoped the First Minister of the Crown would be glad of an opportunity to explain the statement.

MR. GLADSTONE: Sir, I beg to say that no such statement has been made by any Member of the Government, as far as I am informed. Certainly, no such statement has been made by myself.

*Motion agreed to.*

*Bill considered in Committee.*

*(In the Committee.)*

*Clauses 1 to 4, inclusive, agreed to.*

*Clause 5 (Sanction for navy and army expenditure for 1868-9 unprovided for).*

COLONEL BARTELLOT said, he wished to ask the Secretary of State for War, Whether he was taking care to have such a number of breech-loading rifles as would be sufficient for the whole of the Reserve as well as the Regular Army? There was another matter to which he wished to direct attention. A few days ago the First Minister of the Crown stated that the Government were in a position to place guns on all the forts. The right hon. Gentleman stated that the Government were sufficiently supplied with armaments to place guns on all the forts; but this morning the Secretary of State for War stated distinctly that the Government had only one-tenth of the number of guns which would be necessary to arm the forts, and that the forts themselves would not be completed for three years. He (Colonel Barttelot) knew this; but there were certain forts that were completed, and the immediate question was whether they would now be armed. The responsibility of pro-

viding sufficient armaments properly lay with the Government, and he was willing to leave it with them; but he thought it was desirable there should be some explanation of the apparent inconsistency between the respective statements of the two right hon. Gentlemen.

MR. CARDWELL said, he thought the hon. and gallant Gentleman had misunderstood the statement of the First Lord of the Treasury. What he had understood his right hon. Friend as meaning to convey was, that the guns would be ready as soon as the forts. The question of the hon. and gallant Gentleman referred to the heavy muzzle-loaded rifled guns, and of those guns there were in position at home and abroad one-tenth of the whole number which would be required. Besides these, there was a considerable number in store and being manufactured. The number of these was in advance of the requirements of the engineers at the beginning of the year. All the heavy muzzle-loading rifled guns could be finished as soon as the forts. Of the other guns, those to be placed landward, there was a sufficient number in store. He was not answerable for the fact that the forts were not yet completed. He took a Vote for them last Session, which was the first Session in which he filled his present Office. He was taking measures to secure a complete supply of the Snider rifle.

*Clause agreed to.*

*Remaining clauses agreed to.*

*Bill reported, without Amendment; to be read the third time To-morrow.*

FOREIGN ENLISTMENT BILL.—[BILL 258.]

*(Mr. Attorney General, Mr. Solicitor General,*

*Mr. Secretary Bruce.)*

THIRD READING.

*Order for Third Reading read.*

MR. GRAVES said, he still regretted the result of yesterday's Division. It had been argued that the introduction of further restrictions would cripple trade, but on looking to the Trade Returns of last year he found that we had no trade in munitions of war with either of the belligerents. He wished to know whether Her Majesty by Order in Council had the power to prohibit, if so advised, the exportations of munitions of war to either of the belligerent nations? A satisfactory assurance on that point would

*Mr. Laird*



go a long way to remove the disappointment and concern which was felt in the country.

THE ATTORNEY GENERAL replied that, under the Customs Consolidation Act, the power did exist in the Crown to prohibit by Order in Council the export of arms and ammunition; but the power had never been, and was not likely to be, put in force unless the country was engaged in actual war, or unless war appeared imminent.

MR. NORWOOD said, that as he had expressed objections to this Bill the other night, on the ground of its being in restraint of trade, he wished now to observe that the modifications it had received in Committee and upon the Report very considerably removed these objections.

Bill read the third time, and *passed*.

#### ECCLESIASTICAL TITLES ACT REPEAL

BILL—[BILL 231.]

(*Lords.*) COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Ecclesiastical titles, &c. in this realm not valid unless conferred by authority of Her Majesty).

MR. BRUCE said, he had to propose the omission of the 1st clause, and he would afterwards move the insertion of words in the Bill, the effect of which would be to restore the Bill to the shape in which it was originally introduced into the House of Lords. When thus introduced the Bill had three objects; first, to repeal the Ecclesiastical Titles Act; secondly, to declare the common law as to the power of conferring titles; and, thirdly, to exempt from prosecution those who for their own convenience had adopted any designations of office. As the Bill had been amended, however, while it repealed the Ecclesiastical Titles Act it created new offences, made the assumption of titles a misdemeanour, and thus threw obstacles in the way of the free action of the voluntary Episcopal Churches. The Ecclesiastical Titles Act was aimed simply against the Roman Catholics; but the Bill under discussion, he was informed by the most competent persons, would inflict disabilities and penalties upon the new Protestant Church of Ireland as well. If the Bill passed in its present form every contract

the voluntary Episcopal Churches entered into would become illegal. At any rate, it would be impossible for them to enforce it, and as this was clearly not the intention of the Government he proposed the omission of the clause.

MR. HINDE PALMER said, that the Act now proposed to be repealed was an instance, amongst many, of the evil of legislating in a panic. It was passed in the midst of a fervour of Protestant feeling, inflamed by Lord Russell's celebrated "Durham" Letters, and imposed penalties which had never been enforced. He, therefore, regarded it as one of those Acts which might very well be included in an expurgation of the statute book. He agreed with the hon. and learned Member for Marylebone (Mr. T. Chambers) that the effect of the Bill now before the House, as sent down from the House of Lords, was not to create any new crime or misdemeanour, or to create new penalties, but merely to declare that certain Acts should be held to be null and void. If, however, any doubt existed on that point, it was desirable that the wording of the present Bill should be clear, and in that point of view the proposal of the Secretary of State for the Home Department was an improvement.

MR. NEWDEGATE said, he had before ventured to express an opinion that there was some additional stringency in the Preamble of this Bill to that of 1851, because it forbade the assumption, as well as the conferring, of these titles. He thought that the existing statute had been really effective, and that its only fault was that while it refused the sanction of the law to the exercise of a foreign jurisdiction, it encouraged the Roman Catholic hierarchy in attempts evasive of the law of the country. He denied that because the Act had not been enforced it had therefore been inoperative. Quite the contrary had been the case. The Act had operated as a very stringent deterrent, and that fact deserved far more consideration than it seemed likely to obtain. In his opinion, the object of all laws ought to be to restrain people from committing misdemeanours, without the necessity arising to punish them. He further denied that the Act had been passed in a panic. So far from that, the greater part of the Session of 1851 had been devoted to its consideration, and it

had been passed with the approval of the vast majority of the people of the country. He held that the statute had not acted penally, but it had most certainly acted as a deterrent, and that was sufficient to justify the Act being retained.

Motion agreed to.

Clause struck out.

Clause 2 (Repeal of 14 and 15 *Vict.* c. 60).

MR. BRUCE said, he had given Notice to move at the end of the clause to add—

“Provided, That such repeal shall not nor shall anything in this Act contained be deemed in any way to authorize or sanction the conferring or attempting to confer any rank, title, or precedence, authority, or jurisdiction on or over any subject of this realm by any foreign prince, prelate, or potentate, or person whomsoever, other than the Sovereign of this realm.”

Before the Proviso was put from the Chair, he wished to strike out the words “foreign prince, prelate, or potentate, or person whomsoever, other than the Sovereign of this realm,” and to insert “any person or persons, in or out of the realm, other than the Sovereign thereof.”

Amendment proposed,

At the end of the Clause, to add the words “Provided, That such repeal shall not nor shall anything in this Act contained be deemed in any way to authorize or sanction the conferring or attempting to confer any rank, title, or precedence, authority, or jurisdiction on or over any subject of this realm by any person or persons in or out of the realm, other than the Sovereign thereof.”—(*Mr. Secretary Bruce.*)

Question proposed, “That those words be there added.”

MR. T. CHAMBERS said, he would propose to leave out the words “the Sovereign thereof,” and insert the words “Her Majesty, Her heirs, and successors according to the Laws of this realm.” He suggested this alteration because the phraseology was the usual phraseology of the statutes of this country. He should afterwards move words applying not only to the conferring but to the assumption of such titles.

Amendment proposed to the said proposed Amendment,

To leave out the words “the Sovereign thereof,” in order to insert the words “Her Majesty, Her heirs and successors, according to the Laws of this realm.”—(*Mr. Thomas Chambers,*)  
—instead thereof.

MR. KINNAIRD said, he hoped the

*Mr. Newdegate*

Government would accept the Amendment suggested by his hon. and learned Friend (Mr. T. Chambers), which was a most reasonable one.

MR. BRUCE said, he did not think the words necessary. All they wanted to say was that there existed no power to grant such titles. The Government did not object to the assumption of the titles, and he was afraid that if the words proposed by his hon. and learned Friend (Mr. T. Chambers) were added, they might lead to some misconception on the subject.

MR. NEWDEGATE said, he would support the Amendment of his hon. and learned Friend. It was against the assumption by the Papacy of a right to govern that the Act was originally directed, which assumption was connected with territorial titles. It should be remembered that, in his Brief of 1851, the Pope distinctly assumed the right to confer such titles in this country. It was against that that the protest of the country ought to be continued. He desired not only to protect the Protestant part of the population of the country against these encroachments, but to accomplish the same thing as had been done in France—that they should not be bound by decrees of the Pope which were against the laws of the country.

MR. BERESFORD HOPE said, he wished to know how far the Proviso of the right hon. Gentleman (Mr. Bruce), including as it did “jurisdiction,” would affect such voluntary communions as the Episcopal Church of Scotland, and whether it would prevent members of those Churches from suing or being sued in the civil Courts?

THE ATTORNEY GENERAL said, he thought the addition of the words proposed by the learned Common Serjeant (Mr. T. Chambers) would be highly objectionable. The Proviso moved by his right hon. Friend (Mr. Bruce) accomplished all that was required. The words proposed to be added, on the contrary, might prevent conscientious men from assuming titles of whatever kind, and thus might interfere with the regulations of voluntary communions.

MR. HINDE PALMER said, that the effect of the words proposed by the hon. and learned Member (Mr. T. Chambers) would be to prevent the Bishops of the disestablished Church in Ireland from assuming titles, which it was one of the



objects of the Bill to enable them to take, and, moreover, might be attended with this consequence, that bequests which had been made to them by the very names which they were thus forbidden to assume they might be prevented from acquiring.

MR. J. LOWTHER said, that the Bill would not affect past bequests; and as to future legacies of such a very questionable character, persons proposing to make them ought to inquire beforehand what was the law of the land. He thought the answer of the Attorney General was directed to the wrong Amendment.

MR. BERESFORD HOPE said, he intended to oppose the Motion of the hon. and learned Member for Marylebone (Mr. T. Chambers). He wished to explain that his question was whether the words "any person or persons, in or out of the realm," substituted in the Amendment of the Secretary of State, would interfere with the internal discipline of voluntary religious bodies, which the Courts were accustomed to respect?

THE ATTORNEY GENERAL said, he did not think so.

MR. DICKINSON said, he thought that the present Bill ought not to be complicated by the introduction of declaratory provisions embodied in a Proviso. Let them simply repeal the former Act, and leave the Judges to declare the law.

THE ATTORNEY GENERAL said, that it was all very well to say "let the Judges declare the law," but the Judges often declared that they were unable to say what Parliament intended to be the law. Parliament, therefore, had better be the exponent of its own intentions.

MR. T. CHAMBERS said, his Amendment stood in the same relation to the objections raised as the earlier words introduced into the Proviso.

MR. BRUCE said, he did not think the proposed Amendment was necessary. "The Sovereign" could only mean the Sovereign for the time being, according to the laws of the realm.

MR. NEWDEGATE said, that the old statutes spoke of "our Sovereign Lady the Queen," and modern statutes of "Her Majesty" separately, or of "Her Majesty, Her heirs and successors." He could not understand why a novel term should be introduced into this Bill, and, therefore, he should support the hon.

Member for Marylebone (Mr. T. Chambers). He hoped that, in a Bill of this kind, the ordinary form of reference to Her Majesty would not lightly be departed from. The word "sovereign" was a totally new form as applied to Her Majesty, and had been more than once applied in diplomatic documents to the Pope himself. The difference in the words, trifling as it might seem, raised an important historical question. The first step taken by the Papacy towards the re-establishment of the hierarchy was taken in 1685. The answer to the oppression perpetrated by James II. was the Act of Settlement, and in dealing with the question raised by the Papacy in the assumption of jurisdiction in this country it would be proper to recur to the terms of that Act.

Question put, "That the words proposed to be left out stand part of the said proposed Amendment."

The Committee divided:—Ayes 73; Noes 24: Majority 49.

MR. T. CHAMBERS said, he would beg to move to add at the end of the Proviso the following:—"Or the assuming any such rank, title, precedence, authority, or jurisdiction."

Amendment proposed to the said proposed Amendment,

At the end thereof, to add the words "or the assuming any such rank, title, precedence, authority, or jurisdiction."—(Mr. Thomas Chambers.)

Question put, "That those words be there added."

The Committee divided:—Ayes 23; Noes 77: Majority 54.

Clause agreed to.

Remaining clauses agreed to.

Bill reported; as amended, to be considered To-morrow.

#### OATHS OF ALLEGIANCE ON NATURALIZATION BILL.—[BILL 261.]

(Mr. Attorney General, Mr. Secretary Bruce, Mr. Solicitor General.)

SECOND READING. COMMITTEE.

THIRD READING.

THE ATTORNEY GENERAL, in moving that the Bill be now read a second time, said, that it was merely supplementary to the Naturalization Act of this Session. A question had arisen whether that Act gave power to the Secretary of State to frame regulations

for determining who should administer the oaths, and it was for the purpose of settling that point that this measure was necessary.

MR. RUSSELL GURNEY said, there were a number of cases in which declarations had been substituted for oaths, and he wished to know whether that was the case in this Bill?

THE ATTORNEY GENERAL replied in the negative.

Motion agreed to.

Bill read a second time, and *committed*; considered in Committee, and *reported*, without Amendment; read the third time, and *passed*.

#### EAST INDIA REVENUE ACCOUNTS.

##### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. FAWCETT, on moving the Amendment of which he had given Notice, said, that it was not until this 5th day of August that Government, in their wisdom, vouchsafed to ask the House to give its consideration to the affairs of India, thus crowning the edifice of neglect with which, unhappily, those affairs had been for so long a time treated. He knew that he was taking an unusual course; but he thought it was justified under the circumstances. The Indian Budget had hitherto been a matter of form. He had long since come to the conclusion that if you wanted anything done by the Government, you must show a determination of action and a decision of policy. Therefore, he had determined that a distinct issue should be placed before the House on this occasion, so that if the Government should not give a reasonably good excuse for the affairs of India being treated in a manner in which they would not treat the most contemptible Bill that could be brought before the House—in a manner in which they would not treat a Turnpike Bill—the House might express an opinion on the matter. He must accuse the Government of what, to his mind, was a breach—of course, an unintentional breach—of an honourable understanding. Some days ago he asked the Under Secretary for India when the Indian Budget would be brought forward, and he understood the hon. Gen-

tleman's reply to be that it would be brought forward at the Day Sitting to be held that day. Five hours would be little enough to consider the finances of a vast Empire which were, in some respects, in inextricable confusion; but what was his surprise that morning to find that, instead of having the whole Sitting, Indian Finance was put down as the eighth Order of the Day; and the House was now called on the 5th of August, at a quarter to 5 o'clock, to enter upon the consideration of a question second in importance to none which had engaged its attention that Session. His Resolution affirmed two distinct principles. Firstly, it asked the House to affirm distinctly that it disapproved the Indian Financial Statement being made on the 5th of August; and, secondly, it asked the House to say that the finances of India were in such a condition that the time had come when the direct responsibility of Parliament should be asserted, and the finances of India scrutinized by a Select Committee of that House. As to the first point, he knew that some persons thought the House of Commons had nothing to do with the affairs of India; that they had handed over the administration of her affairs to the Indian Council; and that when they spoke on an Indian subject they spoke as a debating society, without responsibility and without power. Let them have a distinct understanding on that point. The people of India looked to that House for the redress of their grievances, and if anything went wrong in the administration of their affairs, depend upon it they would hold that House responsible for it. As a Member of Parliament, he felt that all the responsibility resting on him was as nothing compared with the responsibility of governing 150,000,000 of distant subjects; and if the Government said the House had no power, do not let them keep up the semblance of responsibility, do not let them go through the sham and farce of discussing that Financial Statement; let them tell the Under Secretary of State at once that, if they had no power and no control, it would be far better to acknowledge the fact and have his Financial Statement annually read before the Statistical Society in St. James's Square. The latest assertion of the theory that Parliament had no direct control over the affairs of



India emanated from the First Minister of the Crown, who, speaking in May last, on a Motion brought forward by the hon. Member for Carlisle (Sir Wilfrid Lawson), used language which utterly astounded him (Mr. Fawcett). The right hon. Gentleman said—

“The people of India are not your constituents; their finances are governed by the Indian Council; and the Indian Council are not appointed by you, and do not hold their offices during your pleasure.”

[Mr. GLADSTONE asked from what source the hon. Member was quoting?] He was quoting from *The Times* of the 11th of May, and he should be glad to find that the right hon. Gentleman had either not expressed himself with his usual correctness, or had been misreported. But if they were to exercise a direct control, or any control, over the affairs of India, the House ought not to consent that the only Indian subject officially brought before them should be brought forward within three or four days of their proroguing, and at a quarter to 5 in a Morning Sitting. As to the second point, the finances of India were in such a position that it was most important that a Select Committee should be appointed to investigate them with the greatest care; and what seemed to him to be most unsatisfactory about the finances of India was the extraordinary confusion of the accounts. What did they find? An expected surplus suddenly became a heavy deficiency, and a heavy deficiency was suddenly transmuted into a considerable surplus. Two months since they were told that there would be this year in the finances of India a deficit of something like £1,500,000. Now, they were told, on the authority of the Duke of Argyll, that that deficit was likely to become a surplus of something like £250,000. But with remarkable *naïveté* that noble Duke said he could not place absolute confidence in the exactness of his calculation, because last year all their anticipations had been falsified by a slight mistake of £250,000 in the way in which they made out their accounts in the Home India Office. That was a conclusive proof that the accounts of Indian finance were involved in inextricable confusion. But there arose this important consideration—when the salt duties were raised and the income tax increased to 8*d.* in the pound, that aug-

mentation of the taxation of India occurred upon the supposition that there was to be a deficiency of £1,500,000. Yet, now that it was believed there would be a surplus of £250,000, that additional taxation was not to be repealed, but still continued; and the Duke of Argyll said it was necessary to continue it because the financial exigencies of India would require it. That being the case, they had to decide between these two alternatives — If the anticipated deficiency of £1,500,000 had actually been realized, then, heavy as that additional taxation was, it would have been altogether inadequate. On the other hand, if it had been adequate, now that instead of that anticipated deficiency they were to have a surplus of £250,000, then they ought not any longer to burden the people of India with these onerous taxes. More than one quarter of the whole Revenue of India was spent in this country, and that fact alone should induce the House to exercise the utmost scrutiny over Indian finance. India was like a man who had a magnificent income, but who kept two large spending establishments, neither of which could be properly checked or controlled, and whose separate expenditures interfered with and overlapped each other; and, in addition to that drain upon his resources, he carried on upon his estates many improvements, some of them productive and others wasteful. The result was that he found himself, in spite of his magnificent income, landed almost every year in a considerable deficit. The spending departments in Calcutta and in London were not controlled, and, consequently, during the last 18 years, in five of those years only there had not been a deficit. As to the question of Home charges, he thought it would be a happy thing for India if the Secretary to the Admiralty (Mr. Baxter) could spare six months to look into the Store Department of the India Office. He was told, on good authority, that great and brilliant as had been that hon. Gentleman's discoveries at the Admiralty, they would almost pale before those which he might make at the India Office. There lately appeared in *The Times*, from a late high official of the Government of India, the most serious charge ever brought against a great Government Department—a charge so serious that he thought the Government must

at once come forward to meet it directly, and must welcome any proposal for sifting it to the very bottom, either by a Select Committee or a Royal Commission. Mr. Laing, once an eminent Member of that House, went to India some years ago in a high official position. That gentleman had a distinguished career in India, and not many weeks since he wrote a letter to *The Times*, containing the extraordinary charge that the finances of India were constantly being sacrificed to the wishes of the Horse Guards and to the exigencies of English finance. That meant that there was no one sufficiently solicitous for the just administration of the finances of India to see that the charges which ought to be borne by England were not imposed on India. It seemed, on considering some of the facts lately brought forward, that that charge, whether right or wrong, had, at all events, a good deal of plausibility. What did Lord Lawrence state the other night in the House of Lords. That noble Lord said that the whole charge of the telegraph between England and India passing through the Persian Gulf had been thrown on India, and as England, at least, got half the advantage it ought to bear half the charge. Then there was the question of the Chinese and Persian missions, and he need hardly refer to the shameful act of meanness when London society enjoyed a great entertainment at the expense of the Indian people. Only lately he saw a letter in *The Times*, in which the writer said that these continual acts of meanness—alluding to the charges for the Chinese and Persian missions and the Sultan's Ball—produced a worse impression in India than if England were to levy in India an equal sum annually in a regular way. There was another charge, which, to his great surprise, he had found in the accounts of India. In looking over those accounts he actually saw that the Indian people had to pay something over £10,000 for the presents which the Duke of Edinburgh distributed, and for the travelling expenses from England of his two aides-de-camp. What would be the feeling of the English people if they should find, after entertaining an Indian Prince in this country with the most munificent hospitality, that for the presents which the Prince distributed in return they had to pay, as well as for the travel-

ling expenses of some of his attendants. The sum might be small; but the smallness of the sum was only an illustration of the melancholy meanness of the transaction. He knew very well the official reply which would be made with respect to this matter. It would be said that it was customary to give these presents, and that the presents received by the Duke of Edinburgh were not retained by him but were handed over to the store of presents in India and afterwards sold. Nevertheless, he knew from official sources that some of them were retained, and it would have been better for England to have paid the money ten times over than that such things should be published throughout the length and breadth of India. Independently of these matters, let the House consider what evils unfortunately accrued from the system of double spending, which prevented the responsibility being fastened on any one. He might mention, as an illustration of the serious evils resulting from the want of direct responsibility in respect to the finances of India, that an Indian official lately told him that the head of the Telegraphic Department in India sent in an account to the Government stating that such a quantity of stores were wanted. No pains were taken to ascertain the price of the stores, and the order was forwarded to the India Office in England, and the India Office executed it as agents. When it was discovered that too much money was spent in the Telegraphic Department the Home authorities said that they could not help it—that they received the order and bought the articles. On the other hand, the authorities in India said that they were not to blame—that they sent to the authorities in England for what were wanted, but that the articles were bought at an extravagant price. This kind of thing constantly took place. The Earl of Mayo, Sir William Mansfield, and Sir Henry Durand said that £500,000 was lost last year because the authorities would not carry out reforms in the Army which they formerly agreed were necessary. Again, whatever changes might be made, India always seemed to bear the pecuniary loss. No one could now deny that the amalgamation of the English and Indian Armies had cost India at least £1,000,000 a year. No Return would be more curious than one



showing what each recruit now cost India and what the recruit cost under the old much-abused Company. He was told that, considering the amount India spent in the Transport Service, it would be far cheaper to abolish it, and send out all the European soldiers as first-class passengers by the Peninsular and Oriental Company, and give them in addition an amount equal to the fare as pocket money. The greatest ground of complaint against the administration of Indian affairs was the extravagance which hung over all the Departments. Let the House consider the amount of money wasted on some of the public works in India. He would be the last person desirous of seeing useful public works stopped; but the Duke of Argyll had been obliged to confess that, during the last few years, £3,000,000 had been spent on Indian barracks; and that, with respect to the Bengal barracks, it was just possible, with considerable risk, to live in them; but that as far as the barracks in the North-West of India were concerned, they were actually intolerable. Therefore, all the vast amount of money expended on them had been wasted. He, consequently, desired the appointment of a Select Committee, in order at least to show the people of India that the cause of all this extravagance was blundering and mismanagement. It was sometimes the fashion to say that India was a wealthy and undertaxed country. He believed that India was one of those countries of the wealth of which people were likely to entertain delusive ideas. For centuries it had been the habit of the Indian people to keep a portion of their riches hoarded; but on certain public occasions the symbols of barbaric wealth were exhibited. Nevertheless, he believed there was no country in which there existed a broader line of demarcation between the condition of those who were able to squander money in useless luxury and the general state of the lowest portion of the population. Let the House test the assertion that India was an undertaxed country by supposing an emergency to arise requiring £5,000,000 of additional Revenue to be raised in India. It could not be obtained from the land; because, with respect to a large portion of India, the Government were under a solemn covenant not to raise the rate upon land. The money could not be got from opium, or from that most iniqui-

tous impost the salt tax. No one would contend that an income tax of 16*d.* or 20*d.* should be imposed on the people of India in a period of profound peace. When, therefore, India had been taxed to such a degree as to render it impossible to raise additional taxation, it could not be said that the finances of that country were in a satisfactory condition. The people of India were a most intelligent race; many of them were highly educated; and they looked with the utmost anxiety to every word that was uttered in that House and every act that was done by the Government relating to the affairs of that country. Not long since he was reading the speech of an eminent Native, who in one sentence referred to some extravagant expenditure by the authorities, and in another described how people were driven by the increased taxation upon salt to suck a little salt from the mud that they picked up near where salt was manufactured. That speech was read from one end of India to the other, and such statements would have great effect if ever the day of retribution should come. This was not a mere Indian question, it was also an English question. The other day it was discussed at a club of which he was a member, when an eminent Indian authority laid it down distinctly that if anything wrong should happen in regard to finance in India, England, though not legally, would be morally bound to pay the interest of the Indian Debt. He did not agree with that opinion; but he thought a distinct policy should be laid down on this subject. If we were morally responsible for the debt, let us say so, and let India have the full advantage of our borrowing powers; if we were not, let us at least show that we were disinterested, and as anxious for her welfare as if we were really responsible. The history of the world did not present a worse tax than the salt tax. Taxing salt in India was like taxing water in England. The finances of India could not be considered in a satisfactory state till they could materially diminish, instead of materially increasing, the salt tax. No Government had ever been strong enough to maintain an 8*d.* income tax in England in time of peace; and if such an income tax could not be maintained in England, why should it be maintained in India? When that tax was proposed by Sir Richard Temple,

every person who spoke, either directly or indirectly, said that the tax was not necessary, and that there would be no occasion to impose it if the finances of India had been administered with due economy. Both the Earl of Mayo and Mr. Strachey expressed a hope that such a Budget would never again be introduced for India. There were three other members of Council well known in India not only for great mercantile sagacity, but for their high character and financial ability — Mr. Chapman, Mr. William Smith, and Mr. Cohen — who insisted that it was not only unjust, but unnecessary. Such being the case, could they wonder that there was discontent in India? Would England be content to pay an income tax of 8*d.* in the pound, imposed not in consequence of any European crisis, but simply in consequence of mismanagement and extravagance, and after some of the most important Members of that House had declared that the tax was absolutely unnecessary? There was high authority for saying that every argument against the income tax in England had greater force in India. Mr. Laing said that inquiry into income was absolutely abhorrent to the Oriental mind, and that the Natives considered it a matter of honour and credit to defraud and delude the Government upon that matter. He said also that there was more than one well-authenticated case of suicide committed rather than to submit to an inquisitorial inquiry into income. He had read two days ago in *The Times* that a considerable portion of the income tax had to be collected by native assessors. They were underpaid, and all kinds of complaints were made of the extortionate nature of their demands. One of these was lately investigated, when it was proved that this native assessor had imposed the income tax in a great number of cases in which he had no right to impose it. The cost of the Army in India was £16,500,000; though successive Indian Ministers had said that it ought not to exceed £12,500,000 or £13,000,000. There was no serious attempt made to reduce the cost; but there was a great deal of cheeseparing and small reductions scarcely worth considering, and it was now rumoured that the Government intended to reduce the grants made for higher education in India. He hoped that rumour was untrue. No policy

could be more short-sighted. He apologized to the House for having so long detained them. His object was to direct attention to this subject, and to show the Government that there were some Members who henceforth would not be content to have the Indian Budget shoved off to the end of the Session; they believed that no subject of greater importance could be brought before the English House of Commons, and that it must be thoroughly considered by the House. Although they did not look upon the people of India as their constituents, they felt that in taking on themselves to govern that vast dependency they assumed a responsibility of an unparalleled gravity, and the people of India were bound to them not only by the ties of moral obligation, but by the bonds of sympathy and Imperial representation. The hon. Gentleman concluded by moving his Resolution.

MR. W. FOWLER said, he rose to second the Motion of his hon. Friend (Mr. Fawcett). He thought, however, that his hon. Friend had dealt with the subject too personally. The present Government were not specially responsible for the difficulties of the question. They had inherited a system which had brought them into all these perplexities. He wished to draw the attention of the right hon. Gentleman at the head of the Government to the fact that it would be impossible to discuss the finances of India at a proper period of the Session unless the date of the termination of the financial year were changed. If that year were made to end on the 31st of December instead of the 31st of March, they might then discuss the finances of India in May instead of August. As regarded the confusion existing in the Indian accounts, no evidence was needed beyond that of the Duke of Argyll, who, in several passages of the correspondence which had been laid upon the Table, expressed himself even more strongly than in the observations which he made the other day in the House of Lords. The noble Duke seemed to think the confusion to be almost hopeless and inextricable. He (Mr. Fowler) certainly thought that much good would be done if the opinions of the people of India could be brought to bear upon the Estimates, before their final adoption by the Government, in the same manner as they now had the opportunity of considering



and discussing new laws before they were adopted by the Council. A better illustration of the working of the present system could not be found than the recent imposition of an increased income tax and salt tax. In this country the imposition of heavy taxes with a view to the making of great public works would not be tolerated for a moment. But in India it came to this—that the people were taxed most heavily in order to make these works, for he could show that but for the vast expenditure on public works, the income would be ample to defray the whole of the expenditure. According to the revised Estimate for 1869-70, the income of India was £48,500,000, and the total expenditure, independent of public works, but including the guaranteed interest on railways, was £44,400,000. Independent, therefore, of public works, there was a surplus of over £4,000,000; but on the other side of the account an outlay was incurred of £5,000,000 for what were called Public Works Ordinary, and of £3,500,000 for Public Works Extraordinary. The truth was, that the Revenue of India had been increasing for the last 20 years; but the expenditure had increased yet more rapidly, and we had now got into the period of chronic deficits. The main cause of this state of things was the excessive expenditure on public works, though it was quite true that the expenditure on the Army was extravagant. He wanted to know on what principle they were executed out of Revenue? Either such works were of permanent value to the country, or they were useless. If the former, the charge ought not to be imposed on the taxpayers of any given period, but the payment ought to be spread over a term of years, and if the works were useless they ought not to be begun. Take the case of the barracks. They were costly structures, and meant to be useful for many years—a generation at least, and yet they were paid for out of Revenue. But here in England we paid for our fortifications by a loan, and no Minister would have dared to propose an income tax in order to defray the cost of such works. It seemed to him that the whole system in India as to these works was bad. There was a want of proper responsibility on the part of those who spent the money. He agreed with what was said by Sir Bartle Frere, in a recent

speech, to the effect that you ought to appoint a good man to do a work, and trust him and make him responsible, and not to attempt to put him under the check of another man thousands of miles away. There was need at once of more freedom and more direct responsibility. He had referred to the Army as one source of needless expense. The Army of Madras cost about £3,000,000; and he had recently heard a speech of Sir Charles Trevelyan, in which he intimated that there was no more occasion for that large Army in Madras than there would be in Hertfordshire. If that were so, here at once an opportunity presented itself for effecting an important economy. He regretted that want of time had prevented him from entering more into detail respecting these most important questions; but he entirely agreed with both the propositions contained in the Motion of his hon. Friend, and he hoped before another Session expired a careful and thorough investigation would be made into the condition of affairs in India.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House regrets that the Indian Budget is introduced at so late a period of the Session, and is of opinion, considering the present position of Indian Finance, that it would be expedient to appoint a Select Committee early next Session to inquire into the administration of the finances of India,"—(*Mr. Fawcett*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE: Sir, I shall not follow the example either of my hon. Friend who moved, or of my hon. Friend who seconded, this Motion, by discussing the details of Indian Finance before the Speaker has left the Chair. To do so would be entirely to reverse the rule of this House with regard to the annual Statement of Indian affairs, which is first of all to hear the representative of the Government, and when his Statement is concluded, then that there shall be full freedom for all Gentlemen to discuss, as fully as they please, the details of the policy which has been laid before them. The questions which have been touched upon of the salt tax, the income tax, and public works, are subjects of immense

importance, and which well deserve all the attention hon. Members may be willing to devote to them. It is, therefore, from no want of feeling as to their importance that I hope the House will now adopt the usual course, and consent to go into Committee. But my hon. Friend who made this Motion has submitted two propositions that require from me a very brief notice. My hon. Friend refers to a speech of mine which, he says, to use the mildest expression, astounded him. If that be the mildest expression of my hon. Friend, I should like to know what a less mild expression of his would be. He quoted words as having been used by me—which I will not say astounded, but which certainly surprised me—for he used words which were not mine. And if he will compare the Report of his speech to-morrow—which I have no doubt will be very correctly given—with my actual words, he will find that he entirely misrepresented the whole tenour and purport of my argument—which was, I think, an argument perfectly sound for the purpose which I had in view—that of persuading the House that they had no right to cut off a great branch of Indian Revenue, for which, under the present constitutional arrangements of India, they were not in a position to provide a substitute. I am sure that my hon. Friend's misquotation and misrepresentation were entirely unintentional.

MR. FAWCETT: I can only say that I learnt the words accurately by heart. Of course, if I made a mistake I deeply regret it, and I apologize to the Prime Minister. But an hon. Friend of mine has gone to get *Hansard* and *The Times*, and he says that the words I quoted were exactly as they were reported in *The Times*. [The hon. Member, having placed the reports in the hands of Mr. Gladstone, proceeded.] I will ask him now to read the words, and if that be so, the fault of course will not be mine.

MR. GLADSTONE: The words quoted by my hon. Friend—as well as I can remember his words—were not those which I find in *The Times*. But I have no doubt that *disjecta membra* of my speech have been collected, and used for a purpose wholly and absolutely at variance from the purpose for which I used them. With regard to the introduction of the Indian Budget, I cannot altogether agree with those who say that

the present practice is highly inconvenient and scarcely consistent with what I will call the decorum of a discussion of this kind. I will not say that the Indian Budget is passed over very lightly, even when it is brought forward at this period, because, happily, there is a body of Gentlemen—small, it is true—but still accustomed to go carefully into those questions, and to pay much attention to the annual Statement of the Indian finances. I wish it was in our power to deal with this question at a more appropriate period. But the real state of the case is this—The Indian Budget is one of those questions which, although enormously important, is not important to-day, or to-morrow, or next day. It is not one of those questions urgent in point of time in the same manner and degree as most of the questions on which we have to make practical decisions during the Session of Parliament, and I will venture to predict it will never be found possible, as long as domestic legislation is in an active state, to discuss Indian affairs in the month of April, May, or June. That is the conclusion at which I have arrived from my experience of Parliament, because in that part of the year the pressure on Government is such that they cannot afford a night for any purpose except one which is to lead to immediate practical results. The conclusion, therefore, that I have come to is that, if it is desirable—and I think it is most desirable—that Indian finance should be discussed at a time when a considerable number of Members of Parliament are in London, and when the mind of the House is tolerably disengaged, there is but one period at which it can be done, and that is the first month of the Session. In the first six weeks of the Session you have these conditions—a large attendance of Members, and the mind of Parliament not totally engaged. Therefore, it becomes a question for those connected with the administration of India whether it is possible for them so to regulate matters as to enable the accounts to be sent home, and the Minister in this country to expound his policy in the early part of the Session. The case is one entirely connected with Indian administration, and I should be extremely glad if the exigencies of Indian affairs would permit of such a change being made, because I feel as strongly as anyone



that the present practice is not satisfactory. My hon. Friend then moves that it would be expedient early next Session to appoint a Committee to inquire into the administration of the finances of India. I do not at all join issue with my hon. Friend on principle; but I do not think it would be desirable, in point of precedent, to resolve this year that it would be expedient to appoint a Committee next year. It would be better, as far as a particular decision is concerned, to allow the subject to stand over. But in saying this I do not wish to give any hostile judgment on this question. I think it is desirable from time to time that Committees of this House should be appointed to examine into all the various departments of administration, and among them is the finance of India; and the fact, which we must all deplore, that it is not easy to secure adequate attention within these walls to Indian affairs, is an additional reason for having a Committee to inquire into the matter. I do not think there would be any advantage in giving now what may be called a premature judgment on the case. Do not let it be supposed that I wish to check discussion; but I trust the House will be disposed to pursue it in Committee, because there it can be done most effectually and regularly.

MR. SPEAKER: With respect to observations which have lately been made, I wish to call the attention of the House to these two rules—

“No Member is to allude to any Debate in the same Session upon a Question or Bill, not being then under discussion, except by the indulgence of the House, for personal explanations.

“No Member may read from a printed newspaper or book the report of any Speech made in Parliament during the same Session.”

MR. FAWCETT said, he desired to apologize to the right hon. Gentleman in the Chair for having been out of Order. He also wished to say that he now quite understood the position of the right hon. Gentleman the First Minister of the Crown. He had taken great pains to quote correctly; but he most cordially accepted the statement which the right hon. Gentleman had made.

MR. GLADSTONE said, he was quite sure his hon. Friend did not in the least intend to misrepresent his meaning.

COLONEL SYKES said, that the late period at which the discussion of Indian

affairs was brought on was a long-standing evil, which ought to be put an end to. On the 5th of February, 1845, the Court of Directors of the East Indian Company sent a despatch to the Government of India to which amongst others his own signature was attached as a Director, ordering that the Indian accounts should be at the India Office by the 31st of March in each year, but that order had never been obeyed. If the Indian Council sent out orders to have the accounts prepared at a given time and the officials in India did not obey those orders they ought to be removed from their places. That was the only way in which the Council and the House could get the accounts sent home in proper time. The House was entitled to have the accounts placed before them at such a period of the Session that they could be deliberately inspected and fairly and honestly discussed. From the statement made by the Indian authorities both there and in India, it was quite obvious that no reliance whatever could be placed upon the accuracy of those accounts sent. Under those circumstances, he was ready to divide with the hon. Member for Brighton.

MR. FAWCETT said, that after the speech of the First Minister he did not intend to divide. He understood the right hon. Gentleman to acknowledge that it was desirable, if possible, that the Indian Financial Statement should be brought forward at an earlier period of the Session; and he also thought the right hon. Gentleman would not be unfavourable to his Motion, if renewed next year, for a Select Committee.

MR. GLADSTONE said, in order that he might not be misunderstood, he would say that in principle the Government were not in the least degree unfavourable to the Motion of the hon. Member for Brighton (Mr. Fawcett); but it would be necessary for them to reserve to themselves a discretion as to time.

Amendment, by leave, *withdrawn*.

Main Question, “That Mr. Speaker do now leave the Chair,” put and agreed to.

*Considered in Committee.*

(In the Committee.)

MR. GRANT DUFF, in rising to make his Statement on Indian Finance,

said, Indian finance was a phrase which summoned up very few agreeable associations. All the more proper was it that the first idea which he brought before the mind of the Committee in making the Indian Financial Statement should be an agreeable one, and such it certainly would be; for he had to announce that, whereas on the 3rd of August, 1869, he was obliged to trespass at great length upon the attention and forbearance of those hon. Members who still survived the Irish Church debates, it would not be necessary for him to trespass at anything like the same length upon the attention and forbearance of the scanty survivors of the Irish Land Bill. The second idea which he brought before the Committee would be hardly less agreeable, for he had further to announce that, by adopting a device suggested last year in *The Times*, and distributing the compendious Statement of Account which hon. Members had just received, he should be able to disencumber his Statement of many figures. He could not, however, escape from the *trinoda necessitas* of dividing it into three parts. He must speak first of Actuals; secondly, of the Regular Estimate; thirdly, of the Budget Estimate. By Actuals he meant the completed accounts of the year beginning on the 1st of April, 1868, and ending on the 31st of March, 1869; by the Regular Estimate he meant the Estimate founded on about 10 months' Actuals, and two months' calculation and conjecture, for the year beginning the 1st of April, 1869, and ending the 31st of March, 1870; by the Budget Estimate he meant the forecasts made last April by the Financial Member of the Governor General's Council for the year now in progress, beginning on the 1st of April, 1870, and ending on the 31st of March, 1871. He need not say that that Budget Estimate was founded entirely on calculation and conjecture. Some hon. Members might recollect that he explained very fully in August last the different sources of their Revenue and the different heads of their Expenditure. He thought it well to do so, because many years had elapsed since the representative of the Indian Government in that House had happened to treat his subject in that particular way, and it would seem to be desirable that it should from time to time be so treated; but it would not be necessary now to repeat

*Mr. Grant Duff*

what he then said, for no change had occurred in the nature either of their incomings or their outgoings, and it would be more interesting or less uninteresting to the Committee if, instead of going over the same ground once more, he began by briefly noting the chief differences between the Actuals of 1867-8 and those of 1868-9, as well on the side of Revenue as on that of Expenditure. The gross amount of their receipts in 1867-8 was £48,534,412, or, in round numbers, 48 millions and a half; the gross amount of their receipts in 1868-9 was £49,262,691, or, in round numbers, 49 millions and a quarter. It would be seen, then, that the receipts of the year 1868-9 were better than those of 1867-8 by £728,000. If they turned to the separate heads of their income they found that the Land revenue, the principal source of their wealth, had fallen off somewhat, thanks to an unfavourable season in Madras and the North-West Provinces. Assessed Taxes had fallen off considerably, because in the year 1867-8 they had a licence tax which affected incomes as low as 200 rupees per annum; whereas in 1868-9 they had a certificate tax on trades and professions, which only swept into its net incomes of 500 rupees per annum and upwards. Salt again showed less favourable results, because the stock of salt in Bengal which they had on hand when they ceased to manufacture salt on Government account in that part of India had become exhausted. Opium, too, had fallen off largely. On the other hand, the Forest returns had risen a good deal, as had also the excise on spirits, and drugs known as the Abkari revenue. A brisk trade brought in an additional £100,000 for Customs. Stamps went up, so did the Mint revenue, the Post Office revenue, the Telegraph revenue, the receipts from fees of Courts, fines, and the like; while the sale of a large amount of naval stores bought in connection with the Abyssinian War in 1867-8, and sold in 1868-9, largely swelled the returns under the head of Marine. The general result was, as he had said, that the Revenue for 1868-9 was better than that of 1867-8 by £728,000.

He did not think he need trouble the Committee with any further remarks about the actual receipts of 1868-9, except as regarded two items—the Forest revenue and the Opium revenue. He



singled out the first of those because the Committee showed some interest last year in the remarks; he had occasion to make with regard to their forests, and because very frequent inquiries about the Forest service were made at the India Office. It might accordingly not be out of place for him to observe that the experiment which they had been making of selecting young men by a competitive examination, and then giving them a thorough training in the great forest schools at Hanover and Nancy, bade fair to produce excellent results, and to give them a real forest school in India. That was all the more important because, although the natural products of India were not as yet made anything like so available to mankind as they ought to be, the increased tendencies of all art and science in our times to produce specialties and encourage specialists were depriving them to a great extent of the assistance which they used to receive in that field from various classes of their officers, and, above all, from their medical men. The examinations for the special Forest service showed increasingly careful preparation. The accounts they received of the progress of the young men now, or rather till the other day, studying on the Continent, were good, while those who were in India were thought likely to turn out very useful officers. He ought to mention that although the receipts had largely increased there had also been a proportionate increase in the expense; but in a new service of that kind that was only what was to be expected, and the expense might well go on increasing for some time without raising any presumption against the ultimate pecuniary results of the plan. In truth, however, as he showed last year, much more than mere pecuniary results were at stake. Climatic changes of a very dangerous kind were threatening, or in some instances had actually occurred, and the evils that had to be met were of a sort that could only be checked by the direct action of the Central Government. An Indian officer of very great distinction, writing to him a short time ago about the denudation of the North-West Provinces, illustrated that point extremely well. He said—

“I feel rather horrified when I think of the acres of denudation that I had a hand in when burning bricks for the Ganges Canal Works at

Roorkee; but it was my business to burn bricks, and as cheap as I could; it was the business of the railway establishment to get fuel as cheaply as they could—I think it is probable that if I had been very hard up for lime I would have burnt the Apollo. But it is only Government that can look to such large results as those affecting the future climate of the country.”

That strong central control they were at last he hoped in a fair way of getting, and should thus be able to save wide districts of India from the fate which had overtaken Greece, Algeria, and many regions round the basin of the Mediterranean. The Committee was familiar, from some Papers that had been laid before the House, with the excellent results of the chinchona cultivation. They had already 2,250,000 chinchona plants growing at Darjeeling alone. Peru and Ecuador had given increased facilities for combating fever, one of the worst enemies of man in India. It was now the turn of Brazil to enable them to combat acute dysentery, a hardly less formidable foe. Measures had been taken to send out from Kew, from Edinburgh, and also directly from Brazil, the ipecacuanha, which was now considered almost a specific against that terrible malady. A considerable number of ipecacuanha plants had arrived safely from Brazil, and Dr. Anderson was about to take out 60 more. The Government of India had lately been devoting some attention to the Rhea or China grass, an abundant Indian product, which, if there could only be obtained a machine that would detach the fibre from the stalk in an easy and satisfactory manner, would become of great economic importance. Rewards, to the extent of as much as £5,000, had been offered by the Indian authorities for such a machine. The opening of two new routes—that through the Suez Canal to Europe, and that through Cashmere by an easier pass than those formerly used to Eastern Turkistan, seemed likely to exercise a very favourable influence on the tea cultivation of Northern India. Mr. Shaw, a Kangra planter, went lately as a pioneer of that new form of commerce and returned with so excellent a report of the friendly dispositions of the powerful Prince who now ruled there, that the Earl of Mayo had despatched a mission to his Court.

Turning to another very important Indian product, it was gratifying to observe that India last year actually sent nearly as much cotton to our shores as

the United States and Brazil put together. What would have been said if anyone had prophesied that in 1860? He hoped that every succeeding year would show better and better results. The general question of opium was discussed in the House in the month of May last, and therefore he would confine himself to the financial bearings of the subject. There was satisfactory evidence that the cultivation of the poppy was spreading very extensively through China, although the old rigorous edicts against it still remained unrepealed; but there was not satisfactory evidence as to how far that extended cultivation was merely the result of the withdrawal of much of the pressure that prevented the Chinaman from indulging in his favourite luxury, and of a consequent increase of consumption; or whether it implied that the Chinese opium was now used by many who formerly used the Indian opium. For anything yet known, Indian opium might still find a very profitable market in China. The returns from opium had varied so very much in the last 10 years, and even the best-informed knew so very little of the real facts connected with the growth of opium in China, that it would be most unwise in the Indian Government hastily to adopt the extreme views of those who believed that our Opium revenue must go. On the other hand, the recent great fall might possibly presage a much smaller average return, and they must be prepared for that eventuality.

Passing to the Expenditure, he would compare the actual out-goings of 1867-8 and 1868-9. In 1867-8 there was spent £49,542,107; in 1868-9, £52,036,721. The increase of receipts was very considerable and very satisfactory; but more considerable and less satisfactory was the increase of expenditure, which amounted to £2,494,614. The first important head of increase was Allowances, Refunds, and Drawbacks, where there was a large increase, arising from the fact that we paid over in this year to the Nizam the accumulations of the surplus revenue of the Berars, which were certain provinces ceded by the Nizam under arrangements made in 1853 in payment of the expense of the Hyderabad Contingent. The item of Political Agencies and other Foreign Services was swollen by the payment to Shere Ali which they discussed last year, and by the expense connected with the

reception of that Prince when he visited the Viceroy. He was happy to say that almost every mail brought increased testimony to the wisdom of the policy inaugurated by Lord Lawrence, and carefully imitated by his successor, under directions from home—the policy, he meant, of giving the most friendly countenance to the ruler who had proved himself to be really the elect of the Afghan people. For some years, the Committee would remember, a civil war raged in Afghanistan, and it had been impossible for even the best informed statesman to say to which side the sympathies of that wild race would at length incline. During those years, Sir John Lawrence, in spite of discouragement, in spite of taunts, in spite of Russophobia, and that still more dangerous complaint, which ever raged along the Indian frontier line, and was known as the K.C.B. mania, held his hand, and preserved an attitude of friendly observation. That was the period of “masterly inaction,” to use the happy phrase of a gifted man, the late Mr. J. S. Wyllie, who was in this House for a few weeks, but had now, alas! illustrated the saying—“whom the gods love die young.” But then circumstances changed. It became clear that Shere Ali really represented a majority of the Afghan nation, and Sir John Lawrence assisted him with no niggard hand. All that had since been done had been the development of that policy. We had made no entangling alliance; but the knowledge that we desired to see the existing ruler of Cabul strong, peaceful, and prosperous, together with the frank interchange of views that had taken place between the Foreign Offices at St. Petersburg and London, had produced a most excellent effect from the mouth of the Khyber far away to the cities of Central Asia. The political troubles of Afghanistan, however, arose as suddenly as the winter storms among her mountains, and many accidents might upset the fair promise of the present. Yet the impartial historian would, he was sure, come to the conclusion that the late Viceroy acted wisely both at the beginning and at the end of his rule, and that both the late and the present Government were right in giving him their entire support.

The rise under Army Charges was very great — nearly £400,000, from increases to the Bengal and Bombay Com-



missariat establishment, the Ordnance establishment, &c., and he feared that, read by the light of information which we had recently received from the Government of India, so large an increase in the most unsatisfactory of all branches of our expenditure could not be altogether defended. There was a great increase also under the head of Public Works Ordinary; but much of this was necessary. There was famine in many districts, and after the Orissa catastrophe public opinion in this country would not have suffered the Indian authorities to be slack in pushing on famine relief works, even at the risk of seriously affecting the finances of the State. Then, again, the Government of India pressed the Home authorities to send them out, with inconvenient and expensive speed, materials required for improving the port of Calcutta; and here, too, they had English public opinion on their side, for the two cyclones coming so near upon each other had, not unnaturally, struck terror into the shipping interest. Further, there was a large increase in the demands of India on England under the head of stores, mainly for the supply of moorings for the Hooghly, of machinery for making breech-loading ammunition, and for larger supplies of marine, military, and public works stores. There was also a large increase in the expenditure in England, exclusive of that incurred for Stores for India—an increase, however, wholly beyond the control of the Home authorities, arising under such items as charges for a submarine telegraph which had been laid along the Mekran coast; for the construction of two “Monitors” to defend the harbour of Bombay, the second city of the British Empire; for military and medical fund pensions, which were now included under charges in England consequent on the transfer of those funds to Government; for interest on debt, and for increased pensions and furlough pay paid in London. Then there was a greatly enlarged expenditure, under the head of Law and Justice, from an increase to the number of collectors and magistrates in Bengal, and many other things connected with the better management and more scientific administration of the country. These constant increases of existing salaries and fresh appointments were inevitable evils, for we had been teaching the Natives to insist on a higher standard

of government. In the judicial department something might be saved by employing more native labour, for the Courts were full of pleaders, who knew the codes and the regulations as well as the European who sat on the judgment seat; but first-rate legal ability must be found in some way, for in most parts of India the good old times of patriarchal justice under a spreading tree were gone by for ever. Civilization brought a demand for scientific administration as well as good tribunals, and the day was not far distant when the ablest man would be overmastered by the work of a collectorate which was, like some of the Madras ones, as big as all Yorkshire, or even by the average Indian district, which was only as big as Devon and Cornwall rolled into one. Various branches of expenditure decreased in 1868-9. We got rid, for instance, of the payments for Interest on Service Funds, for we arranged to take over the capital of the military and medical funds and to pay the pensions, so that to have charged ourselves with the old high interest on the capital would have been a needless complication. The opium market again was falling, and fewer cultivators wished for advances; that made some difference; and Marine Charges, which had been swollen by the Abyssinian Expedition, also fell off considerably. So did Allowances and Assignments under Treaties and Engagements, which had been exceptionally high in the previous year; and much less was paid as well under the head of Miscellaneous as under the head of Superannuation, Retired, and Compassionate Allowances; because the first of these heads of charge had been swollen in 1867-8 by the demands of famine-stricken Orissa, and the second had been exceptionally high in the same year, because we had during its course paid up certain arrears of donations to Service Funds.

For the year of the Regular Estimate, which began on the 1st of April, 1869, and ended on the 31st of March, 1870, our accounts were, as he had already explained, not complete when Sir Richard Temple, the Financial Member of the Governor General’s Council, made his Statement on the 2nd of April. He had before him the Actuals of from 10 to 11 months only. The rest was a matter of estimate; or, in other words, of calculation and conjecture.

We were given to understand by Sir Richard Temple that the receipts for the year 1869-70 would amount to nearly £53,000,000, or, deducting the net returns from Railways after the payment of the working expenses, which had this year been included without any sanction from the Secretary of State in Council, to £50,387,925. On the other hand, we were given to understand that the expenditure would amount to £53,500,000, or, making the necessary correction with regard to the Railway Guaranteed Interest, on this side also, to £50,951,420. From these figures the Committee would perceive that the general result, as anticipated in April last, was a deficit of about £563,000 on the ordinary Revenue of the year. These were the figures which were before Parliament; but we had assurances that the Actuals would turn out better than Sir Richard Temple believed when he made his Budget Statement. The substance of the information telegraphed by the Viceroy on the 18th of July was that the accounts of 1869-70, adjusted up to July the 16th, were better than Sir Richard Temple expected on April the 2nd by about £700,000, so that we might expect, as at present advised, a small surplus, or at least an equilibrium, thanks to the prompt and decisive action which was taken in the autumn of last year by the Viceroy and his Council assembled at Simla. The year 1870-1, for which we had no accounts, was entirely dependent on calculation and conjecture. Speaking on the 2nd of April, Sir Richard Temple expected to receive about £52,300,000, including, that is, the traffic receipts received from the Railways after deducting working expenses. But if we exclude these last, according to the usual and better arrangement, the amount would be much less, say £49,200,000. On the other hand, he expected to have to pay about £52,200,000, including the gross amount of the interest guaranteed to the Railways; but if from that amount the net traffic receipts were deducted, the charges in India and England came to a little over £49,000,000, leaving a small surplus of £163,440. That amounted really to no surplus at all, and was far below the figure which had been pointed out as the minimum by successive Secretaries of State, whose orders had been to frame Estimates so as to show a probable surplus of from £500,000 to

£1,000,000 sterling. This Estimate was, however, in respect of expenditure in England, too favourable, and according to the information now obtainable here, the revenues would amount to about £49,300,000, and the charges to about £49,400,000, thus showing a probable deficit of over £100,000, instead of a surplus of £163,000. Even that small surplus could not have been estimated for by the Government of India except by calling in the aid of the unpopular, but in the opinion of the Viceroy and his Council absolutely necessary, income tax, without the recent increase in which the Indian Chancellor of the Exchequer would have had to estimate for a deficit in the year 1870-1 of very considerably more than £1,000,000. That would have been a strong measure, and he was fortunate in having at hand a resource so convenient as the income tax, which affected only 1 in 1,000 of our Indian fellow-subjects, and those the persons who were best able to pay.

To notice the chief objections that had been taken to the policy of the Government of India in raising the income tax to 3½ per cent, he would take the Calcutta Memorial lately forwarded to the Secretary of State in Council through the Government of India, and say a word on each of its allegations *seriatim*.

Committee report Progress; to sit again *this day*.

House again in Committee.

MR. GRANT DUFF, on resuming his speech, said, he was about to make some observations in regard to the income tax in India, and the simplest way of placing before the Committee the objections to the raising of the tax and the answer of the Government would be to take the Calcutta Memorial, and go through its allegations *seriatim*. The first four paragraphs related to the rapidity with which the Income Tax Act was passed through the Legislative Council, and he believed dissatisfaction had been aggravated by contrasting this rapidity with the great amount of deliberation which preceded the imposition of the income tax by Mr. Wilson. Now, while it was necessary that long deliberation should precede the imposition of a new tax, strange to the British system in India, it was not necessary

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that long deliberation should precede the raising of an already existing tax from 2 to  $3\frac{1}{2}$  per cent. The period of representative bodies in India was not yet, and when the whole Cabinet of the Governor General had consented, however reluctantly, to the raising of the income tax as a State necessity, it made little matter whether the Bill went through in a few days or a few weeks. All concerned, however, including the Secretary of State in Council, would have been better pleased if the Financial Member had seen his way to make his proposal with regard to raising the income tax somewhat earlier. The 5th paragraph complained that the Budget Statement was framed upon an erroneous principle, expenditure upon the construction of extensive public works of a permanent nature, such as barracks or other works of emergent necessity, being charged against the Revenue of the current year, instead of the whole of such expenditure being spread over a series of years, and the current year debited with a fair proportion only. To this he replied by reiterating in the most positive terms that the policy, as well of the Secretary of State in Her Majesty's present Government as of the Secretary of State in Her Majesty's late Government, was that barracks in India and all other works of a similar character should be charged against the Revenue of the current year or not executed at all. "*Sint ut sunt, aut non sint.*" To adopt any other course would be simply to throw dust in our own eyes, and to palter with the financial security of the Empire. The 6th paragraph expressed the alarm of the memorialists at the "imposition of an income tax of  $3\frac{1}{2}$  per cent, equal to  $7\frac{1}{2}d.$  in the pound, in a time of profound peace." To that he replied that an income tax of  $7\frac{1}{2}d.$  in the pound, though often exceeded in England, was a higher income tax than the Government would wish to see continued in time of peace; but that, considered as a temporary measure mainly occasioned by our having in the last few years tried to civilize India a little too fast—in accordance, be it remembered, with the wishes of the very class which was making the loudest outcry—it could not be considered excessive under the circumstances in which the Viceroy's Council found itself placed. The memorialists further represented, in

the 7th paragraph, that "a tax intended to fall exclusively upon the middle and upper classes of this country, who comprised less than one-thousandth part of the whole population, was unjust." His reply to this was that the classes which were hit by the income tax were the very classes which had not hitherto paid enough—Europeans who had gone to India in search of fortune or competence, and the wealthy Natives. The greatest obstacle in the way of a good financial system in India was the difficulty of making these last contribute a fair proportion to the necessities of the State which made their existence possible. Every device known to the financiers of the West—succession duties and so forth—broke down before the altered conditions of the taxation problem in India, and a civilized Government could not resort to those short and easy methods which were employed so freely in the good old times. The memorialists also submitted in the 8th paragraph, that the taxpayers of India had a substantial grievance in the large and excessive expenditure in England of money drawn from India, to the extent of nearly one-fourth of its entire annual Revenue, without any efficient check or control being exercised from India, and in the absence of the early publication of full and exact details of such expenditure. His reply to that was that only a mere fraction of the money expended in England for India could properly be called home expenditure at all. Almost all of it consisted of money expended in buying things which the Indian Government asked the Secretary of State to buy for it in Europe, because they were not to be bought, or begged, or stolen in Asia, and nearly the whole of the rest consisted of payments made by the Secretary of State, because the Indian Government must make those payments somewhere, and found it more advantageous to make them in London than at Calcutta. Such, for example, was the interest on the debt contracted on behalf of the Indian Government in England, the guaranteed interest on the railways in India, paid in the way most convenient to all parties, to the people in England who had made them, and the pensions, furlough-pay, and so forth, disbursed to the retired or actual servants of the Government when in Europe for its convenience, and virtually at its

request. The 9th and 10th paragraphs regretted the state of the finances, and asked for the disallowance of the Income Tax Act, and the appointment of a Royal Commission to inquire into the position of the State so far as its pecuniary circumstances were concerned. To that he replied that no Secretary of State would ever have dreamt of overruling in such a matter the Governor General and his whole Council in compliance with the demands of a fraction, though an influential fraction, of the population of India, and that the appointment of a Royal Commission would be an excellent thing if by the first wave of a wand we could create half a dozen thoroughly competent Western financiers willing to go to India, and by a second wave of the wand could make them intimately acquainted with all the past and present of India, in their bearing upon receipt and expenditure.

Even with the increased income tax, Sir Richard Temple was only able to promise a surplus of £160,000, and when he promised that he was not reckoning a sufficiently large amount for home expenditure.

The telegram, of which he had stated the substance to the House, was, however, so far reassuring—projecting, as it did, some brighter hopes into the year 1870-1. Opium, too, was doing better than was expected when Sir Richard Temple made his Statement in April. He would not have the Committee, however, to be over sanguine. We were, hon. Members would remember, in our capacity of receivers of the Land revenue, largely dependent upon the seasons, and the last two or three seasons had not been favourable. A bad season impoverished the people, who became unwilling to buy European goods, which were, or appeared to them, in the nature of luxuries; and so our Customs were apt to fall off, just as our Land revenue was checked. Opium, again, was, as we had already seen, having one of its periodical depressions—if, indeed, the recent fall could be spoken of by so mild a name—and Sir Richard Temple was not thought, even under the slightly improved circumstances to which he had alluded, to have been, on the whole, too cautious in estimating the receipts in 1870-1 from that second most important feeder of our Revenue at un-

der £7,000,000; whereas, in 1867-8, a smaller Opium expenditure brought an Opium revenue of nearly £9,000,000.

Turning to the other side of the Budget Estimate, to the contemplated payments of the Government of India, the pruning-hook of reduction had, he must admit, been applied to the expenditure with no sparing hand. The Grant for Public Works Ordinary, for example, was reduced by about £1,700,000 below the actual expenditure under that heading in the year 1867-8. He was far from saying, however, that, although the pruning-hook of reduction had been vigorously applied to the expenditure of 1870-1, it might not be further applied in 1871-2. In fact, the Government of India encouraged them to hope that that would be the case.

He had now stated the probabilities of their outgoings and incomings for 1870-1, so far as he knew them. It remained to ask what was the state of the cash balances on the 31st of March, 1870; or, in other words, what balance had India at her bankers on that day? India had at her bankers on that day £13,982,099 (being £337,240 more than was anticipated by Sir Richard Temple in his Budget Speech, and in the accounts as laid before Parliament), including an unexpended balance from the last loan of over £1,000,000—a sum which the Government of India considered would be more than adequate for all the ordinary requirements of the year. It was, however, proposed to expend £3,000,000, or a little more, for Public Works Extraordinary. Of these, £2,000,000 would probably be raised in England, and the rest would be taken from the cash balances. Public Works Extraordinary were, he might remind the Committee, that class of public works for which they thought themselves entitled to borrow. It was in them that the commercial interests of Great Britain were, or conceived themselves to be, chiefly interested; and a good deal of needless alarm was sometimes created in this country, and even found expression in this House, when it was announced that there was to be a reduction in Indian public works. That arose from not apprehending the distinction which was made between Public Works Ordinary and Extraordinary, the broad distinction between the two kinds of public works being that we classed as Public Works

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Ordinary improvements, more or less analogous to those which a country gentleman would think it his duty to pay out of his income, and under the other, those kinds of improvements on which he would think himself justified in expending capital. By the one class of improvements it was hoped to effect great indirect good, but the Government did not look for a direct pecuniary return; by the other they hoped to obtain an early and ample return in hard cash. Of the large sums which, as he mentioned a few minutes ago, it was proposed to expend in Public Works Extraordinary, about £1,732,500 would be for irrigation works, and the remainder—about £1,300,000—would be for expenditure in India and England on account of State railways.

The Committee generally liked to hear a little about our irrigation works, and would be glad to learn that, whereas we spent about £220,000 upon them in 1867-8, and £468,000 upon them in 1868-9, it was proposed to spend in the year now passing the large figure which he had just mentioned—namely, £1,732,500. Hon. Members would listen with interest to the following extract from a speech by the Viceroy in the Budget debate at Calcutta:—

“There never was a year in which the benefits of irrigation were more decidedly evidenced than in the last year. In the unusually dry season of 1868-9 a great calamity was averted. It is stated on the authority of the Government of the North-Western Provinces and of the canal officers engaged there, that in those Provinces alone 1,425,702 acres were kept in a state of fertility which would otherwise have been unproductive. Colonel Brownlow and his officers exerted themselves to the utmost. The result was that in those irrigated districts there was a considerable increase in the production of the lower class of cereals, and I find that the 2,786 acres of that description of crop which were under irrigation in 1867-8 have increased, in 1868-9, to the amount of 85,281 acres. The Returns exhibit an increase of the extent of land watered of 665,023 acres over the preceding year, 96 per cent more than that irrigated in 1860-1, the most recent year of scarcity, and 45 per cent greater than in 1866-7, the previous maximum of irrigation. In the Meerut Division irrigation reached the extraordinary extent of 308,161 acres, or 30 per cent of the entire culturable area of the district, exhibiting an increase over the preceding year of 103 per cent. These facts tend completely to show the enormous value of irrigation works.”

With regard to State railways the Committee would be satisfied that we were applying the sinews of war to them pretty freely, when he stated that whereas we

were in the year 1870-1 about to spend on them well on to £1,300,000, we spent on them in 1867-8 only £594. Full details as to what was being done would be found in Mr. Juland Danvers's Report, which had been lately circulated; but he might observe, in passing, that the Viceroy announced in the Budget debate of April last at Calcutta that he hoped to open 801 additional miles of railway in the year which was now in progress.

What, then, in a sentence, was the financial story that he had to tell in the last two years? There was a deficit in 1867-8, a deficit in 1868-9, a small surplus, after much effort, in 1869-70; and an equilibrium in 1870-1. No one would say that this was a brilliant state of affairs. Had we, then, any reason to hope that it would mend, and that the near financial future would be better? He thought we had.

The necessity of a radical change had this year been impressed upon the authorities in India not merely by despatches from the Secretary of State, but by the discovery suddenly made by themselves that the forecasts laid before the public in March, 1869, and transmitted to the Secretary of State, were unmistakably misleading. Since this came to the knowledge of the Viceroy and of his Council we had observed the most gratifying signs of a feeling that such a state of things as declared itself last September was injurious, not only to the Department which it immediately concerned, but to the whole Government. The altered tone of many communications which had been received from India led the Government to hope that the absolute necessity for a severer economy, for an improved financial department, and for obliging all the subordinate authorities to bring their accounts more closely up to date was thoroughly apprehended and keenly felt, while at the same time there was a perfect conformity of opinion between the Home Government and the Government in India as to what he might call the great lines on which our financial policy should be built. The great lines on which our financial policy should be built were, in his opinion, as follows:—First, military reduction; peace round the frontier and within the frontier. Every year in which the Indian atmosphere was undisturbed by a little war—and such years were

unhappily few—was a year gained to the habit of peace, and it was certain that retaliatory raids against wild tribes, like the Huzara people in the far North-west, or the Looshais in the North-east of the Empire, were, even when most necessary and most successful, a very great evil, only to be resorted to in the direst extremity, because they excited and troubled an area far wider than that over which the operations extended. The best authorities united in assuring us that the habit of peace in the British territory south of the Nerbudda had extended during the last few years in the most surprising manner, and they were sanguine as to our being able before many years passed by considerably to diminish our force in these regions. Those who reflected that the countries of which he was speaking contained the scenes of many of our most famous victories would appreciate the significance of this statement; but this was not all. We had in this part of India two great hopes, which seemed to be in a fair way of fulfilment, and which were both eminently favourable to peace. The first of these was that the ruler who would eventually succeed to the great inheritance of Mysore would not disappoint the expectations which had been formed of him, and would maintain and develop the admirable system of government which Mr. Bowring, an extremely able public servant, had just handed over to the care of Colonel Meade, who long managed, with great success, the difficult and delicate diplomacy of Central India. Certain it was that the progress of the heir-apparent of the Throne of Mysore, of which we were kept carefully advised, had been, up to the present time, highly satisfactory. Our second hope was that the efforts of the enlightened Government which now controlled the wide realms of the Nizam, far the most powerful of Native Princes, might be thoroughly successful, and that by the time the child-ruler of these broad lands—equal, be it remembered, to about three Irelands—came to his Throne he might read, with incredulous wonder, the description of his capital which was laid before this House in the famous *sua si bona norint* Papers. The second line on which our financial policy should be built was civil reduction; not so much by cutting down salaries—always a process of doubtful advantage when service, to

be good for anything, must be more than willing—but by availing ourselves of all increases of communication to amalgamate the duties of posts that must be held by Europeans, and to take advantage of improving Native intelligence to obtain cheaper labour, in connection with which we must, however, remember the imperious demands which civilization made for improved administration, to which he had already alluded, and which would, perhaps, more than neutralize all we could do in this direction. The third line upon which our financial policy should be built was the throwing as much as possible upon the local governments the financial burden of those improvements which, while they did not directly add to the income of the State, and must not, therefore, be paid out of loans, were of distinct palpable benefit to the localities concerned. The fourth line upon which our financial policy should be built was the pushing on, with the utmost zeal and to the fullest extent to which it could be done without deranging the labour market or injuring our credit, all public works which would be directly remunerative, while we rather held our hand in improvements which were not directly remunerative. Further, we must take care, by improving our Public Works Department, and providing ourselves with other securities, that the works called reproductive should be really so, and not in any case so only upon paper. This question of reorganizing the Public Works Department was occupying the most serious attention of the Secretary of State in Council. It would be premature to attempt to explain at any length what was being done about our civil engineering College in the present state of the arrangements; but he felt confident that no one would complain that the scheme likely to be adopted did not go to the root of the evils complained of. The fifth line upon which our financial policy should be built was the resisting to the uttermost all those benevolent but dangerous persons who advocated the claims of this or that interest, which strove to make good some unjust and unscrupulous demand upon the pocket of the Indian taxpayer. The High Court of Parliament had no more *nobile officium*, as they would say in Scotland, than to stand between these voracious interests and the patient millions of India. He need say nothing about



the extreme importance of fostering the Land revenue, nor of the necessity for carefully watching the opium trade. By working steadily upon the lines he had indicated, along with the Government of India, he thought ere long we should find they had as few deficits as at one time they had surpluses; even in spite of the falling off in the Opium revenue, which would, probably, take place before long. He would not now repeat what he said last year of the very great improvements which would result in some few years from the natural operations of the Revenue, nor need he say anything about the fact that in 1874 they would get rid of the payment of about £450,000 a year to holders of the old India Stock. He would simply allude to the fact which was explained last year, that before long they would begin to gain and not lose in the railway exchanges between this country and India. He should not enlarge upon any one of these things, because his object was to give the Committee anything but a sanguine view of the state of affairs. But there was one matter on which he would say a few words. The usual practice in all countries in making railways was to consider the dividends paid to shareholders, while railways were in course of construction, as part of the capital of the line; but those in India had never adopted that plan. They had always considered the guaranteed interest as a charge on the Revenue of the year. This alone represented a sum of £1,244,742 for the current year, and not much less than £16,000,000 for past years, which some financiers, and those not of the ultra-sanguine school, would wish to treat as so much debt legitimately incurred for promoting the locomotion and general welfare of the country. He could not take that view, considering the peculiarity of the tenure by which India was held; although everything seemed extraordinarily peaceful and prosperous, it was quite impossible to say what a generation would bring forth. In making an experiment absolutely unique in human history, we should be very great purists in the matter of debt. Our Indian Debt was small, indeed, in comparison with that of the great nations of the world; but then we must remember that the words "our Indian Debt" meant something quite different in the mouth of an Anglo-Indian from what "our

English Debt" meant in the mouth of an Englishman. The possessive pronoun covered a much larger number of persons here than in India. If, however, we steadily resisted the blandishments of *couleur-de-rose* financiers, he saw nothing that should induce us to feel any real anxiety about the future of Indian finance. Great surpluses we were not likely to have, because our object was to spend every penny of surplus upon improving the country without involving it in debt, and endangering the powers or credit of the Government. The foreign rulers of India, more unhappy than the much-enduring hero of the ancient world, were doomed to sail not once, but, he had almost said, for ever, certainly for not a few decades, between Scylla and Charybdis. Such a voyage required no small amount of nerve, and the helmsman must not be blamed too harshly if occasionally he seemed to be dangerously near either the Italian or the Sicilian Coast; if, in other words, he seemed sometimes to be pushing on improvements too quickly, and sometimes to be husbanding a little too much those pecuniary resources without a free use of which improvement was impossible in a country like India.

Having laid before the Committee these views with regard to Indian finance, he would merely say with reference to the speech of the hon. Member for Brighton (Mr. Fawcett), that the hon. Member appeared to have strained very much the forms of the House in making a speech full of financial details while the Speaker was in the Chair. It had been the custom of the House to take care that such matters should be discussed in Committee. It would, perhaps, be the best course to treat that speech, which offered room for a great many observations—to use the least strong term which he could find—as having been made in Committee, and he would reply at a later hour to such of the rash, reckless, and more than erroneous expressions of the hon. Gentleman as might happen not to be sufficiently disposed of in the course of the discussion.

Motion made, and Question proposed,

"That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1869 was £49,262,691; the total of the direct claims upon the Revenue, including charges of collection and

cost of Salt and Opium, was £9,249,766; the charges in India, including Interest on Debt, and Public Works ordinary, were £33,406,826; the value of Stores supplied from England was £1,432,840; the charges in England were £6,246,819; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,700,470, making a total charge for the same year of £52,036,721; and there was an excess of Expenditure over Income in that year amounting to £2,774,030; that the charge for Public Works extraordinary was £1,370,618, and that including that charge the excess of Expenditure over Income was £4,144,643."

MR. EASTWICK: Sir, I am sure that everyone who has listened to the very able Statement just delivered will be satisfied with it—as a Statement. Indeed, as far as regards clearness of explanation and lucid arrangement, nothing more could be desired, and that is all for which my hon. Friend the Under Secretary of State is responsible. But when we come to that for which he is not responsible—that is, to the financial measures themselves of this year's Indian Budget, I own I think the reverse is the case, and that they are so eminently unsatisfactory as to deserve the censure which they have already received from the Indian public. In saying this, I do not mean to impute any blame to Sir Richard Temple, whose career I have watched from the very first, and whose great abilities and indefatigable energy I, in common with all who know him, admire. It is the system I blame, which, in spite of what was done to improve it by Mr. James Wilson and by the Financial Commissions of 1859 and the following years, is still very far from being perfect. How, indeed, can a system be called perfect which omits from account such a glaring item as £152,290, a charge in the political department which was avowedly overlooked in the Estimate of 1869-70! How can anything like complete accuracy be attained as long as the Indian Estimates are liable to be deranged by a sudden order from the Secretary of State in Council to pay, perhaps, £500,000 to some Native Prince or public company? Can we look for exact Estimates when the Home Accounts are year after year unexpectedly swollen by enormous indents for stores, regarding which neither the Financial Minister in India nor the Secretary of State in this country has had any previous warning? The Indian financial system is still confes-

sedly imperfect, and the Indian authorities who have to carry it out seem to me not even yet sufficiently impressed with the extreme, I might almost say the desperate, necessity there is for better arrangements, and for carrying economy to the very farthest limits compatible with the safe working of the machinery of government. It is, perhaps, impossible for men who have resided long in India, whose minds are biassed by Indian associations, and who have been accustomed to lavish expenditure, to realize the true position of affairs. Occasionally, no doubt, as was the case this year, some compunction is shown by them at the increasing expenditure, and spasmodic efforts are then made to reduce it. But these efforts, by their very suddenness and uncertainty, have a contrary effect; for, as was well said by one who took part in the Indian debate of the 5th of April last—"It is impossible to make suddenly great and fundamental changes without enormous loss." In general, however, to use the words of the same speaker, Mr. John Strachey, "the Indian Government lives in a fool's paradise," an illusion which, I fear, will not be dispelled now that the expected deficit is reconverted into a surplus. Sir, I, for my part, wish to do something towards dispelling these illusions, and closing the doors of this paradise; and I would, therefore, beg to point out one or two of the most prominent reasons which make it imperative on the Indian Government to adjust its finances, and carry retrenchments to, as it were, the outside edge. The first reason is, of course, the precariousness of the Opium revenue, as to which I must call attention to a new element of danger which, I believe, has hitherto escaped notice. It was certainly overlooked by Sir Richard Temple, who, in his Financial Statement, contented himself with a slight reference to the increase of opium cultivation in China, and merely said that "the trade will be subject to a competition not hitherto experienced." But he did not so much as allude to the rapid increase of opium cultivation in Persia, a country which, a few years ago, did not export opium at all, but last year sent no less than 4,000 chests, worth about £500,000 sterling, to China. This Persian opium has been analyzed at Bombay, and is proved to be nearly, if not quite, equal to Indian, and, as it pays no duty, being carried



in French vessels to Ceylon, the profit on it is so enormous, that we must not be surprised if we should see the trade in it doubled, or quadrupled, in a year or two. We shall thus not only be supplanted in the Chinese markets to a considerable extent, but must expect to receive very reduced prices for what opium we may continue to sell. In face of such a contingency, and with the position and known fact of the rapid extension of opium cultivation by the Chinese themselves, it would be madness to delay any longer making preparations to meet the, perhaps, gradual, but in the end inevitable extinction of the Opium revenue. The next point to which I wish to draw attention is the rise of prices and of wages throughout India, but especially in the Bombay Presidency. This renders it every day more difficult for the Government to economize by reducing the salaries of its *employés*. Servants now get in some parts of India three times the wages they got before the Mutiny, and junior officers, both civil and military, instead of being able to save money out of their pay, as formerly, are now sometimes compelled to club together to take a house. As a labourer receives double the hire he did 10 years ago, the construction of new public works is rendered more expensive, and that circumstance alone must operate as a restriction on the effective outlay of Government. But in the item of repairs, which is an annual charge that sometimes rises to between £1,000,000 and £2,000,000, expenditure cannot be stinted unless we would see the existing public works in ruins; and this item of expense must, therefore, go on increasing every year. The last reason that I shall mention for abandoning illusions and instituting a most searching inquiry into expenditure with a view to its reduction, is one which has been alluded to in "another place." It is that justice demands that "nothing shall be exacted from India but what is strictly due to its defence, or paid for exclusively Indian purposes." Now, when we consider that the Home Charges rose from £3,529,673 in 1867 to £16,870,337 in 1869, we cannot feel surprised that the educated part of the Indian public believe that a great deal more is exacted from India than what is due to its defence. I can assure hon. Members that those who influence the Press and public

opinion in India have long been most deeply occupied with this question, and are scrutinizing it in a way which demands that corresponding attention should be given to it here. Now, I am quite aware that these Home Charges are in part stereotyped, and cannot be reduced, as, for instance, Pensions and Dividends on Indian Stock, which together make up £1,335,000, but others admit, I believe, of reduction. I am not going through the list *seriatim*, but I ask attention to only one item, which appears at the bottom of every column of disbursements as "Stores," and amounted for 1868-9 to £1,609,198, being an increase of £438,723 on the year preceding. Now, these stores are required for consumption in India, and the Secretary of State is merely a purchasing agent with respect to them, and has no information which would enable him to check the demand! I ask, then, why these stores should appear at all in the Home Charges, and why the heads of Departments in India should not forward to the Finance Minister in that country regular Budget Estimates of the stores they require, with list of prices and explanatory reports, so that these charges might be checked in the finance department and kept down to a regular and moderate amount? The responsibility for them would then rest with the Finance Minister; but at present it is fixed nowhere, and though economy may be possible under such a system, there is plainly nothing whatever to enforce it. Such are some of the most urgent reasons for retrenchment; but I despair of its being carried to the necessary extent, unless some independent financier is sent out from this country as Finance Minister, who, after thoroughly examining the Home Accounts, and conferring with the Secretary of State regarding them, should then proceed to India with his full support to apply the pruning knife wherever possible. If that were done, and if the Secretary of State in Council would renounce the practice of ordering expenditure by a simple despatch, I should begin to have hopes of economical results. I will give, as an illustration of the practice I allude to, the £45,000 ordered as a contribution to Her Majesty's naval forces in Indian waters in 1869-70, and of which Sir Richard Temple himself tells us in his Financial Statement he had no previous intimation.

I contend, that as a substitute for that practice, the Secretary of State should direct Bills for the outlay he desires to be brought before the Legislative Council, that they may be duly discussed. I would add that, in order to make the discussion really valuable, the number of the non-executive members of Council ought to be increased, and that instead of all being nominated, some of them at least ought to be elected.

With these remarks, I proceed to the main question before us—namely, the Budget Estimate for 1870-1. The years 1868-9, and 1869-70 are past and gone, and it is useless to dwell on the actual accounts of the one and the regular Estimate of the other, which ended, in the one case, in an actual deficit of £2,750,000, and in the other, in an estimated deficit of £625,594—I am using Sir Richard Temple's figures—now declared to be converted into a small surplus. Our real business is to see what can be done in the future. Let us begin, then, with the Army, under which head there is a saving of £554,016, the total net expenditure being reduced to £15,009,116. Now, I confess I am far from being satisfied with this reduction, which still leaves the cost of our Indian Forces greater than that of the enormous French Army on its peace establishment, and £750,000 more than that of the whole Army of Great Britain. For my part, I shall not be satisfied until the expenditure under this head is brought down to £13,000,000, including Home Charges. In order to effect this reduction, we must begin by adopting some of the suggestions made in a clever pamphlet called *India as it Should be*, and published some years ago by Mr. Lodwick, one of the principal officers in the Accountant General's Department in India. His suggestions have been in part endorsed by Sir William Mansfield, who not only advises that the commander-in-chiefships in the subordinate Governments, with their expensive Staff, should be done away, but says—"So long as the separate system lasts I am hopeless of real economy." The same high authority, while declaring that "to attempt the diminution of the existing British Forces in India is fraught with so much danger as not to be thought of," yet admits that the Government may well dispense with a large part of the Native Army in the Provinces, where

peace has now lasted for three-quarters of a century. To this reduction of the Native Army, then, I earnestly call the attention of hon. Members as being the only safe means of bringing our Indian finances to a satisfactory state. Far be from me, Sir, at this crisis to recommend any reductions which would impair the real efficiency of our Indian Forces, but I am confident that reductions might be made which would increase instead of diminishing that efficiency. For the safety of our European regiments, the Punjab Frontier Force, the Sikh, Gurkha, and Biluch battalions, and the Sindh Horse and other Native cavalry are amply sufficient, and we might retain all these and yet reduce the Native Army by 50,000 men. At present that great force, which I must remind hon. Members still outnumbered our European soldiers by two to one, is kept up in order to garrison a number of unhealthy stations in the plains of India, which the railroads and the approved loyalty of the Native Princes have rendered unnecessary. If anyone will take the trouble to look at a map of military stations, he will see that our forces are disposed along the Indian frontier in the shape of a fan, with several very large cantonments in the centre of India, close to the capitals of Native Princes. Now, I ask, have not Sindhia, Holkar, the Gaekwar, and the Nazim passed through the fiery ordeal of the Mutiny? When Delhi was in the hands of a great rebel army—when 100,000 of our mutinous Sepoys clamorously called upon those Princes to place themselves at their head not a breath tarnished their loyalty, and why, then, should we continue to stud their dominions with our cantonments? It has been said that they ought to contribute towards the defence of the Empire. Well, I am sure I may venture to say they are willing to contribute to it by guaranteeing the tranquillity of Central India. Can we doubt it when we see by this last Budget that Holkar and the Nazim have advanced each £1,000,000 for the construction of railroads to the centre of their capitals? I say, then, let us rely on their approved fidelity, let us push forward our European regiments from such unhealthy places as Cawnpore, Morar, and Secunderabad, to more salubrious stations on the frontier, such as the new station Ranikhet, and let us reduce a moiety of our Native re-



giments, including the 25 mixed Bengal regiments, to simple cadres, which may be expanded again if necessary; thus we shall enormously reduce our expenditure, and transfer 50,000 men from the unproductive to the productive class of the community. Beyond this, as regards military expenditure, I would only ask that a searching inquiry should be made into those commissariat and miscellaneous expenses which raise the cost of a European infantry regiment from £18,000 or £20,000 a year in England, to £80,000 a year in India. It is my conviction that considerable reductions might and should be made in this quarter. The inquiry might be extended to the number of the officers of the Staff corps and locals, which seems still in excess. I see that at the close of last year out of a total of 3,311 officers there were no less than 888 on furlough, 410 in civil employ, 148 in the police, and 82 in the Public Works Department, besides 253 returned as supernumeraries, leaving only 1,530 engaged in regimental duty and on the Army Administrative Staff. Sir William Mansfield's speech shows that there were altogether 7,086 British officers in India to 55,333 English soldiers, or, an officer to every eight men. I come now to Public Works, and here I must begin by asking the Government whether, with an expenditure in this Department which rose in 1869-70 to £8,000,000, and, adding the expenditure on railways, to upwards of £12,000,000, it is possible any longer to overlook the necessity for appointing a Minister of Public Works? At present, the Viceroy himself holds the portfolio of this Department, and, fully admitting the Earl of Mayo's great ability and aptitude for this particular kind of work, I must still think this a very objectionable arrangement. What should we say if the Prime Minister here, in addition to his own duties, were weighted with those of the First Commissioner of Works? Great as are the right hon. Gentleman's powers, we should be sorry to see him in that way bending under the lot of Issachar. Sir, I suppose it will be admitted that the Army and the Public Works Department are the two great causes of Indian deficits. And yet, in spite of this admitted fact, there are persons who urge the Government to accelerate the already overwhelming outlay in this Department. These persons would make no distinc-

tion between ordinary and extraordinary works, but would pay for all alike with borrowed money. Loans terminable and interminable are, according to them, to be the one grand feature of Indian finance. Sir, I protest against this policy, less weightily, indeed, but as warmly as did James Wilson in his memorable speech of the 18th of February, 1860. I ask with him—"What was the state of our Indian Debt before the Mutiny? What is it now? And what will it soon be, if we are to resort to the miserable, the disreputable expedient of continuing to borrow in time of peace?" Do I say peace—who can tell how soon India may be compelled to borrow to carry on war? The war of the Mutiny cost India £38,000,000, and imposed on her a yearly payment of £2,000,000. Surely that is warning enough that we ought to reserve the credit of India and her borrowing powers for a period of war! But there are other, and to my mind irresistible, reasons against the loan policy. In the first place, those who advocate loans forget that there is only one way of paying the interest on them, and that is by fresh taxes. The utmost that retrenchment can do for us is to replace coming losses in Revenue and prevent increasing deficits. If the interest on the debt is to be augmented it must be met by augmented taxation. How senseless and absurd, then, is the combined clamour for a reduced income tax and an increased debt! Another reason against an abnormal expenditure on public works by Government is that it discourages private enterprise, which is already shy enough of India. It must have struck everyone that while millions of private capital go yearly to Mexico, to South America, to the ends of the earth, very little, if any, goes to India unless the interest be guaranteed by Government. Now, why is this? The reason is plain, that to spend money on public works in India is not in general very remunerative. We are told, indeed, in *The Times of India* of June the 2nd last that the Jumna Canal declared 19 per cent dividend last year, and that it will declare a dividend of 23 per cent this year. On the other hand, Sir Richard Temple tells us he has written off as irrecoverable the advances made on account of Port Canning, and the Earl of Mayo mentions that the Government have had to buy up the Orissa and

Sone Irrigation Company at a cost of £1,040,000. I do not say that public works may not be remunerative in India; but I do say we ought to scrutinize very closely the schemes of well-meaning enthusiasts. The rapid progress of scientific discovery, too, is continually inventing cheaper modes of constructing public works, and by imprudent haste the advantage of these discoveries is lost. Railway communication, for example, might, perhaps, have been accelerated in India by increased outlay, but Government would thus have lost the advantage of the light rails and carriages, which now seem likely to be generally adopted. I am glad to hear a report, which I hope is correct, that the Government have sent Commissioners to Norway to inquire into the economical system in use there with a view to its adoption in India. I should think that the wire tramways, too, might be found useful. The possibility of other changes, too, must ever be kept in view, which may sometimes make great public works a great public waste. Take, as an example, the lately-erected costly barracks for Europeans. I have looked over the list of stations where they have been built, and I see a dozen places in which it appears to me, under present circumstances, and after what Sir William Mansfield has said, little short of insanity to keep European regiments at all. Lastly, and above all, I would cite as an argument against loans for public works the words of Mr. Laing. He said in his Financial Statement of 1861—

“India has two great wants—irrigation and communication. I do not mean grand schemes only, which strike the imagination, so much as village roads, and village tanks and water-cuts, which enable every rood of ground to grow its crop, and send it to market. Such works we are most anxious to encourage, and, accordingly, instead of simply curtailing the Imperial allotment to local Governments, we say to them—‘Take what we are able to give you, and for the residue take certain powers of taxation, and raise it yourselves.’”

This, in my opinion, is emphatically the true policy. Let the local Governments raise funds for local works in the manner they judge best, and expend those funds without the friction and delay of constant references to the Supreme Government. Let the Supreme Government rather reduce than enlarge its expenditure on public works, which we are told by the Earl of Mayo will amount for the

two years ending the 31st of March, 1871, to £28,500,000, or £3,000,000 more than the whole Revenue of Prussia. Let the Government be content with executing works to which it is pledged, as to the 15,000 miles of railroad, of which, by the last Returns, only 4,628 have been opened. And, for the present, let the all-engrossing object be the adjustment of the finances, and the obtaining a margin of surplus Revenue. If that surplus is to be obtained, the present amount of taxation cannot be reduced. I do not say that it cannot be changed. I admit that in a time of peace an income tax of  $3\frac{1}{2}$  per cent, or  $7\frac{1}{2}d.$  in the pound, is too high, and must create discontent. That discontent has been naturally increased by the sudden and precipitate manner in which the increased tax was imposed. The Bill was read the first time on Saturday, passed into law on the Tuesday following, and promulgated as law on Wednesday. But I am very far from thinking that it ought to be reduced below 2 per cent. Even its strongest opponents admit that it has one redeeming feature—namely, that it falls on the Native traders, “who, but for it, would not contribute at all towards the burden of the State.” But it has other recommendations. The expense of collection is only 3 per cent, whereas that of the salt duty is nearly  $4\frac{1}{2}$  per cent. It falls on the class best able to pay, and can never excite general discontent, as only one man in a thousand is reached by it. The irregularities and exactions which are said, on the authority of respectable witnesses, to have taken place in collecting it, might easily be stopped by vigilant investigation and severe punishment. As for what is said about its demoralizing tendency, we may be sure that only the frail will find it a stumbling-block. In my opinion, Sir Charles Trevelyan was wrong to abolish it in 1865. I think it ought to be retained at a moderate rate, and that it is an instrument of great power, which will improve by use. In the meantime, if it is to be reduced, and if the five additional annas just imposed on salt are to be taken off, it is necessary to find a substitute. Well, Sir, I, as no doubt many other hon. Members, have spent much time in weighing and examining every sort of Indian tax, both direct and indirect, and have heard them discussed by persons most competent to



form an opinion, and the result is that there are objections to them all. I have heard good things of a succession tax, and still more of a hearth tax, and of other taxes; but, to sum up, the general argument seems to incline in favour of direct taxation, for which, in the first place, there is the great authority of James Wilson. Sir Bartle Frere, too, has shown that all Native States resorted to direct taxation, that they bequeathed it to us, and that it is only 35 years since we gave up the bequest. I find, too, from Colonel Grant's pamphlet, called *Indian Deficits*, that in our Burmese Provinces "the contented, prosperous, industrious, and progressive population," as he calls them, pay willingly a capitation tax of 4 rupees for every married man and 2 rupees for every unmarried. I have great faith in Lord Grey's maxim. He says an opposite policy of taxation to that which obtains in Europe is proper in the tropics. "Make," he says, "taxes press, so far as prudence will permit, rather on those who are content with a mere subsistence than upon the possessors of property and the purchasers of luxuries." In accordance with that opinion I think that the people of India, who are a very frugal, but not a very productive people, might be induced to produce a great deal more than they do by direct taxation judiciously initiated. At present there are immense swarms of unproductive people in India, and an immense waste of time in innumerable pilgrimages to the shrines of innumerable deities, amongst whom it is a pity that no one ever thought of deifying a god of labour. Direct taxation might, perhaps, have a beneficial effect upon those swarms, and reduce a little that great waste of time. I am not arguing in favour of a capitation tax, but I think that there are similar taxes which have been imposed, and might be imposed again. But, Sir, I feel I have been too long, and must conclude. Before doing so, I would say that I think the time has arrived when the whole subject of Indian finance and taxation should be again reviewed by a Select Committee of this House. That would afford an opportunity of looking into the question of the drain of treasure to India, which since 1800 has absorbed £311,000,000 of bullion, and takes in one year more silver than the whole world produces in that time. Thus in

one year India takes £14,500,000 of silver, while the total annual produce is only £10,000,000. That question is, of course, intimately connected with that of a gold currency for India, which seems to me the most urgent matter to which a Finance Minister could direct his attention; and that, again, is bound up with the extension of paper money. These questions ought all to be thoroughly sifted; and, at the same time, the error of the impoverishment of India by the so-called tribute, which has taken such root in the minds of educated Natives, might be exposed. Lastly, the English public would become better informed of the inestimable treasure we possess in the magnificent Indian Empire, and this House might, perhaps, be induced to bestow on Indian questions more of that valuable attention and wise consideration which have produced such great results in the individual affairs of this country.

MR. HAVILAND-BURKE said, he rose rather for the purpose of entering his protest against the reckless system of discussing a subject of such grave importance so late in the Session. Last year at this time, almost to the very day, his hon. Friend, in a comprehensive and eloquent address, laid the Indian Budget before them. He then drew, for the delectation of his hearers, a picture of the vastness of the Empire, its untold resources, and almost innumerable population. He (Mr. Haviland-Burke) had at the time hoped this showed the interest and attention his hon. Friend took in questions relating to this vast dependency; but he deeply regretted saying his expectations had not been realized. An hon. and gallant Friend, the Member for Aberdeen (Colonel Sykes), had last year congratulated the House upon there being so many as 40 Members present! but this Session the attendance had fallen off to 26, which he hoped, however; was not to be accepted as a sign of the falling off in the interest displayed in Indian affairs by this House. He had listened with much interest to the observations of the hon. and learned Gentleman who had just sat down (Mr. Eastwick), with some of whose remarks, however, he was unable to agree. In particular, he could not agree that loans should be raised in India only for the purposes of war. [MR. EASTWICK: I meant to say, in the present state of

Indian finance.] He still remained of opinion that loans might properly be raised for Imperial purposes, and this correction of the hon. and learned Gentleman was not happy, for he was strongly of opinion that the £38,000,000, said to have been added to the debt on account of the Indian Mutiny, might have been better expended. An outlay of that £38,000,000 on useful public works would have been more beneficial, and, coupled with a wise and conciliatory policy, might have had a great influence on events in India. Certainly recent events showed a marvellous system of Indian finance. But the other day there was an estimated deficit of £1,500,000; to-day there was an estimated surplus! What trust could there be in such a system? There were so many hon. Gentlemen present who wished to address the House, that at this period of the evening and of the Session he would not detain them except to point out one or two items in the Budget requiring attention. He thought the sum of £8,000,000, or even more in round numbers, was too large to pay for the cost of collection, and the great charge of over £12,000,000 for the Civil Government was one that he thought might be reduced. As to the Army, he concurred in what had been said as to the possibility of its reduction. But we had this consolation, that in case of necessity we could fall back upon 50,000 well-equipped and seasoned soldiers, who could be brought to Europe at any moment, as, indeed, had been done in the case of the Crimean War. It was reported to have been said by a noble Duke in "another place," that "the people of India did little or nothing to help themselves." But how could they at present be expected to do so? His hon. Friend the Under Secretary stated last year his surprise that so small an amount of our stocks was held by the Natives of India, and his hon. Friend thought the Native education had not reached the investing point. He (Mr. Haviland-Burke), however, thought the Natives knew too much for his hon. Friend. We ought to consider whether our conduct had been such as to encourage them to trust in us. It had been said that up to the time of the Indian Mutiny there was scarcely a single year in which there had not been a war of annexation. Hence the cause of our

deficits. We had deposed their Princes. We had solemnly entered into treaties and engagements with them, and these treaties and engagements had been deliberately broken. These breaches of faith naturally created great mistrust in the minds of the people, and hence they were not at present found willing to entrust their hoards to the British Government. His hon. Friend had, on a former occasion, informed the House of the importance of Native Princes, but results proved the reverse, so far as evidenced by the treatment of those Princes. He could not quite agree in the remarks made by the hon. Member for Brighton (Mr. Fawcett) as to the taxes. Doubtless the salt tax was most objectionable; but so also, if not more, was the income tax. It was most unpopular in India. It produced a comparatively small sum—he believed little over £2,000,000—while the expenses of collection were enormous. He thought the debate taking place that day would have a most beneficial effect. It would show the people of India we were beginning to look into their affairs. He would suggest that the Budget should be prepared earlier, say in the month of February, so that it might be laid before, and discussed by, the Governor General and his Council before they dispersed for Simla. Under such an arrangement the Budget might reach this country in May, and hon. Members might then have an opportunity of studying it before the closing days of the Session. It would have a good effect in India if it were known there that the subject was really exciting interest and attention in this country. There were persons in this country who seemed to think the possession of that magnificent country was of little importance to us. He could not, however, agree to that. If for no other reason, India had been useful as a training field for distinguished soldiers and eminent public men. Some of these of whom we were most proud had made their reputations in India. Then, too, there was scarcely a family in England who had not some cadet who had laid the foundation of his fortunes in India, and he thought it was to be regretted that so many Englishmen who had made their fortunes in that country, retired and, ceasing to take an interest in India, ignored the source of their prosperity. It might be of the greatest advantage



to this country and India if such men would perform the public duty which their past successes in India might be supposed to impose on them in after-life. He thought that a rigid economy and a careful investigation must produce the desired effect in regulating Indian finance. At any rate he, for one, rejoiced at the awakening interest in India, which showed that the House at least was beginning to be determined to execute firmly and conscientiously their most important trust.

MR. C. DENISON said, he thought that the hon. Member for Brighton (Mr. Fawcett) had done good service by the discussion which he had originated. The fact that the affairs of so great an Empire as India were only discussed once a year at the close of the Session was discreditable to the House and to the system of government. He was glad that the First Minister of the Crown had been induced to promise that he would not prejudge the policy of having an inquiry into the finances of India next Session. He thought, however, that it would be wholly impracticable to adopt the Prime Minister's suggestion and have this discussion in February. In that case, the Indian Accounts must be made up to the 31st of December; but the amount of the Land revenue was unknown until late in February, because there were two crops a year in India, and the land tax was collected in three separate instalments each half-year, and one of the instalments was not collected until late in January. It was, besides, physically impossible that the Indian Accounts could be made up with sufficient expedition to be laid before Parliament in February; and, further, a great and sudden change in the making up of the Indian Accounts would be no slight matter from the confusion it would cause. He fully agreed with those who thought that the financial administration of India demanded a systematic overhauling. He thought that the manner in which the India Office discharged its duty to Parliament demanded attention. As a rule, the India Office was not in harmony with the spirit of the House; for it was secret, despotic, and bureaucratic. It never afforded the House information except under pressure. It discouraged and disliked discussion. The documents which they had then before them were only printed three days ago;

and last year many of the most important Papers were not delivered until after the Session closed. Now, that was not the proper way in which to treat the House of Commons. The India Office, at all times, under all Administrations, was adverse to criticism. One great reason why the Office should be brought to book was that the expenditure through the Home Government had increased from £3,000,000 to £16,000,000, or, including the railway contributions, £20,000,000. The Office also insisted upon keeping at the end of each year a balance of £3,000,000 in hand. At the very time when Sir Richard Temple was making his Financial Statement in Calcutta, and was urging special reasons for the imposition of the income tax, there was this balance here to the credit of the Indian Government. This required explanation. Then, again, the India Office systematically refused to give reasons for their expenditure; and how could the Finance Minister in India know how to frame his Budget when the Home Government refused to furnish him with the details? Such a state of things ought not to exist. On that ground alone he would support a Motion for Parliamentary inquiry. During the Elections of 1868 the Under Secretary for India said that we lived in days when every institution in the land would have to show cause why it existed, and that aphorism was afterwards adopted by the Prime Minister himself. Now, he (Mr. C. Denison) thought that one of the first institutions that should show cause why it existed was the India Office. There was, however, a dead weight of passive resistance on the part of Ministers for India, past, present, and expectant, which made inquiry difficult, many of those persons making no secret of their opinion that the less the House of Commons discussed Indian affairs the better for the people of India, and therefore it would require a great deal of pressure to get a Committee of Inquiry. He was astonished that the memorial from Calcutta, as to the increase in the income tax, had not received any notice from the Secretary of State for India when he made his Statement in the other House, for such treatment would cause bitter disappointment. The hon. Gentleman the Under Secretary contended that that tax was thoroughly justifiable in itself; but he (Mr. C. Denison) must deny

that in time of peace an income tax of the present amount, brought about by no fault of the population, could be justified. Mr. Wilson, he maintained, had to deal with a totally different state of affairs, and the manner in which the tax had first been imposed, as it were with a word and a blow, was, in his opinion, highly objectionable, and altogether contrary to the necessities of the case. Mr. Wilson went to India to deal with a state of affairs which required special legislation. He imposed the income tax only for a period, and it was understood that it would be taken off as soon as possible. What induced the Government of India to raise the tax from  $2\frac{1}{2}$  to  $3\frac{1}{2}$  per cent? Simply an error of account; but at the end of the year there was a slight surplus. Such an imposition was indefensible and dangerous. The Native communities, whom they treated so lightly, combined as they were with the Anglo-Saxon community, would not long endure such conduct. He agreed that the only redress the Government could make was to publish the Indian Budget earlier; the day for the establishment of representative institutions for India was not yet. But that was no reason why the just complaints of the people were not to be listened to. He put it to the dispassionate judgment of men in the habit of dealing with taxation in this country, whether such a system of taxation could be continued or could be repeated? Then, as to the salt tax. The Under Secretary of State had last year held out the hope that its most objectionable features would be done away with; yet, instead of being revised, it had been made more intolerable than ever, its amount having been more than doubled. If means could not be found to reduce the tax, he thought the strongest argument was thus afforded for diminishing largely the extravagant sums which were being spent on public works in India. He thought it would be quite possible to reduce very considerably the Army which was kept up in the Madras Presidency, which numbered something like 20,000 men. The civil reductions could not be realized in practice, all experience showing that if they saved with one hand they lost with another. They had yet to discover what were reproductivé works in India. That remark applied especially to canals, while as regarded railways the course pursued by

the Government, in giving up a large amount of interest to the companies, required explanation. As to the Governor General, the manner in which he had devoted all his energies to bringing about an equilibrium in the finances of India was beyond all praise. The noble Lord was, to a certain extent, the victim of circumstances; but he had no doubt that under his able superintendence we should have a full measure of efficient administration.

Mr. J. B. SMITH said, he had listened with some degree of satisfaction to the speech of the Under Secretary for India, inasmuch as he candidly acknowledged the mismanagement which had led to the embarrassing state of Indian finance with which he assured them the Government was now prepared to deal with an unsparing hand. Notwithstanding that the Expenditure exceeded the Revenue they found one hon. Gentleman in favour of abolishing the opium duty, while another desired to repeal the salt tax; but he did not know how the Indian Revenue could bear such reductions, nor was he prepared, until he saw a very different state of Indian finance, to entertain such projects. As regarded the salt tax, which was the only direct tax paid by the great mass of the people of India, it was no longer the great grievance it was in times past, because, first, the ability of the people to pay the tax had been increased by a three-fold increase in the rates of wages; and, second, because there had been a great reduction in the increments of the cost of salt. The great increment in the cost of salt was not the tax but the cost of carriage. Where salt was carried hundreds of miles on the backs of bullocks the cost of carriage operated as a heavy tax; but in the last 10 years the opening out of railways and water communications had so greatly reduced the cost of carriage, that in some places the cost of salt had been reduced a third to one-half its former price, and the consequence had been that the consumption had doubled in the last 10 years. Those who desired to see the cost of salt reduced to the people of India ought to advocate the extension of cheap water and railroad conveyance. As to cotton, he had for a long time past endeavoured, and, he feared, with little effect, to direct the attention of the Government to the improvement of the quality of cotton, and to the provision



of cheap conveyance by opening out water navigation. He again warned the Government that a crisis was approaching which would have a serious effect on the exports of India. During the cotton famine and season of high prices the value of the exports of cotton from India reached £30,000,000 sterling, and even last year, notwithstanding a great decline in prices, the exports of cotton amounted to £20,000,000. Now, the whole exports from India in 1869 amounted to £53,000,000, of which, as he had stated, £20,000,000 were cotton. Could India afford to lose such an important item of export? The production of cotton had been resumed in the United States and was rapidly increasing, and very soon the planters of India would be brought into serious competition with those of America. Now, the Indian planters laboured under the disadvantage of only producing 60 to 100 lbs of cotton per acre, while in America 250 to 400 lbs per acre were produced. At the same time the American planter had the advantage of cheap water conveyance, which India might equally enjoy if her rivers were made navigable. The increase of the Revenue was, he admitted, a very favourable sign. In 1860 the Revenue amounted to £33,000,000, and in 1869 to £49,000,000. The imports in 1860 amounted to £40,000,000, and in 1869 to £50,000,000; while the exports rose, during the same period, from £28,000,000 to £53,000,000. This extraordinary increase in the productive power of India was in great part attributable to the development of the resources of the country, by the opening up of the rivers and railways, there being 4,000 miles of railway open in 1869 as compared with 734 miles in 1860. With regard to loans for public works, he would remark that India had a great future before her, and in proportion as capital was invested in the country its productiveness would increase. He was pleased, therefore, to hear that it was the intention of the Government to expend a large amount of money on irrigation works in the ensuing year. In his opinion, however, the loans contracted for reproductive works ought to be classed separately from other State debts, so that the amount borrowed might always be known. He contended that such works ought not to be contingent on surplus Revenue; if they were pro-

perly selected every shilling expended, principal and interest, would be returned. In support of his opinion he would instance the case of the Godavery irrigation, and of the irrigation works connected with the Ganges Canal, which, although not yet completed, paid last year 6 per cent, and, what was more, prevented a famine, which saved more than the whole cost of the canal. In conclusion, he would express a hope that the whole question of Indian finance and policy would be brought under the consideration of a Committee of that House, as he believed such an investigation would result in benefit both to India and to this country.

SIR CHARLES WINGFIELD said, the aspect of affairs in regard to the finances of India was grave. It was only by the energetic measures adopted by the Earl of Mayo, the retrenchment of £1,000,000, and the increase of the income tax to nearly 4 per cent, that an equilibrium had been brought about. The problem for solution was how the equilibrium could be maintained in the face of an increased income tax and a declining Revenue from opium? The right hon. Baronet (Sir Stafford Northcote) had laid down a good, sound principle when he resolved that unproductive works should be paid for out of Revenue and the productive only by loan. Mr. Laing had set the Indian finances to rights by reducing expenditure and setting his face against borrowing. If our predecessors had constructed barracks out of borrowed money, we should now be saddled with a debt of £100,000,000. And even as regarded railways, it was acknowledged most distinctly that a well-selected line made with due economy would yield interest on the capital within 10 or 15 years from the time of opening its entire length. He, therefore, deprecated carrying out such works by borrowing, and maintained that a departure from the principle he had referred to would bring Indian credit, which was now—notwithstanding the extraordinary deficits—second only to British, down to a level with that of Turkey and Egypt. For taxes to produce in India it was said they must reach the poor; but salt and spirits were taxed already, and to tax tobacco, their only other luxury, would be cruel. The income tax had not only been raised, but had been raised sud-

denly and without discussion, contrary to the acknowledged principle that the propriety of increasing taxation should be long discussed to acquaint the people with the necessity of the step; and this had occasioned irritation. He did not object to a moderate income tax, but he objected to its increase in time of peace, and he thought that a heavy tax of 9*d.* in the pound should be reserved for periods of great emergency, and should not be imposed simply to repair the errors of financiers and make up for former wasteful expenditure on barracks that had proved to be unsatisfactory. As he objected to loans for any but productive works, to indirect taxation, and especially to a heavy income tax, he might be asked what remedy he had to suggest for India's financial difficulty. The only remedy was the old-fashioned one, reduction of expenditure, and one source of that relief was to be found in the reduction of the Army, of which, however, the Indian Government were the best judges, as they were charged with the maintenance of peace. So long as the British Government only exacted those taxes that had been the acknowledged dues of the Governing Power in that country for centuries the Revenue would be raised with ease; but no new taxes ought to be imposed without the consent of the Native population. He thought that for the future they must look principally to the Land revenue for increasing the income of India. But when the Government imposed new and increased taxes it naturally created a demand among the upper classes in India for some voice in the expenditure of the revenue. He believed that one of the most eventful eras in Indian history was about to commence, and that before long some constitutional reforms would have to be conceded to the country. He hoped the inquiries which would be made by the Select Committee to be moved for by the hon. Member for Brighton (Mr. Fawcett) early next Session would lead to a beneficial result not only as regarded finance, but also as respected the general system of Indian Government. A searching inquiry by a Select Committee was the only measure that could by any possibility be satisfactory to the natives of India.

MR. R. N. FOWLER said, he also trusted that great good would result from the proposed inquiry. It was to be

regretted that the Act of 1858 had failed to interest hon. Members in the affairs of India, and it was to be further regretted that the Indian Budget should be postponed until the end of the Session, when it was impossible to secure a full attendance of hon. Members to discuss it. He fully concurred with the hon. Member for Brighton that there was no subject in regard to which so heavy a responsibility rested on him, as a Member of that House, as in connection with India. With empty front Benches on both sides of the House and a thin attendance generally, it was impossible to do justice to important questions affecting the welfare of the millions inhabiting India. His hon. Colleague (Mr. Eastwick) had brought three questions under the notice of the Committee. The first was relative to the opium trade. He (Mr. R. N. Fowler) last year, and again this year, in seconding the Motion of the hon. Member for Carlisle, urged objections with regard to that trade. His objections were based on moral grounds. This country, by encouraging the opium trade, had incurred a great moral responsibility, and, in his opinion, Revenue obtained from such a source was a disgrace to a Christian and a civilized nation. In abolishing that traffic we were bound to make some sacrifices ourselves, and not to throw the whole of the loss on India. The salt duty and the income tax were questions that must press themselves with great force on the attention of Parliament. If the statements of the hon. Member for Brighton, in regard to the sufferings of the people in consequence of the salt tax, were true—and he feared they were—the matter deserved the attention of the House. With great deference for so high an authority as his hon. Colleague, he thought it was a doubtful question whether an impost like the income tax should be forced on the people of India. He hoped that the hon. Member for Brighton (Mr. Fawcett) would early next Session move for a Select Committee, and that the Government would accede to it in order that an opportunity might be given of fully investigating all subjects connected with India. He desired to express his satisfaction that the Prime Minister had held out hopes that if nothing unforeseen occurred a Committee would be appointed next year to inquire into the finances of India; the questions of the



salt tax and the income tax would have to be considered very carefully by that Committee.

MR. MAGNIAC said, that anyone looking at the immense import of treasure into India—no less than £160,000,000 during the last 10 years—must have arrived at the conclusion that India had been in a state of immense prosperity; but he feared that this year there would be a great falling off. India depended upon two great sources of income for that prosperity—namely, cotton and opium. During the last year the Revenue received from cotton and opium in India amounted to £30,000,000. From this it appeared that the Revenue of that country also depended mainly on these two articles. He believed the real danger ahead was finance. Indeed, he thought no one would look at the financial accounts of India during the last 10 years without seeing that. In those 10 years there were only two in which the income of India exceeded the expenditure. During that period cotton had produced £207,000,000, and opium £108,000,000, or an amount equal to almost the half of our National Debt; and those £315,000,000 were derived from the produce of unskilled labour. In 1869 cotton produced £20,000,000; but 10 years before that it produced only £5,500,000. Events were now occurring which plainly indicated that the Revenue derived from cotton must be very considerably reduced. Cotton had fallen nearly 20 per cent in price, owing, no doubt, to the increased production of cotton in America. He believed the opium question would soon settle itself. The Chamber of Commerce at Shanghai had appointed commissioners to inquire into the opium trade in China. They found that, though the growth of opium was nominally prohibited in that country, duties were levied on it, and the cultivation was carried on in Zehuen. As the Chinese opium could be produced at 40 per cent of the price charged for Indian opium in China, the Native growth must be superseding the opium which was imported into China from India. Looking at what was going on in Persia and China, one must look at the probable decrease of the Revenue from opium with the greatest alarm. He said this without reference to the moral question. He was treating the matter merely as one of finance. Having

regard to the facts he had referred to and to the rate charged for bills, he was afraid we must look forward to hard and difficult times in India. He believed that the management of Indian finance would require all the energies of British statesmen. A suggestion had been made that it would be useful to publish the Budget for the benefit of the people of India. He had no doubt that great benefit would arise from presenting it to the House within a reasonable time after it was prepared, for it was impossible to go into all the details at so short a notice; and he hoped this was the last occasion on which the Indian Budget would be brought forward within two or three days of the close of the Session.

SIR DAVID WEDDERBURN said, he thought the expenditure for barracks in India was very unsatisfactory. Large sums had been laid out for their erection in the most unhealthy situations. A sum of £200,000 had been spent for the erection of barracks at a number of the most unhealthy stations, and £100,000 had been spent on stations in the plains, while £17,500 had been appropriated to two new hill stations, and another sum, not specified, for five old hill stations. For months the Indian papers had been filled with complaints of the misery and discomfort suffered by the English soldiers in these barracks, and very lately the officer commanding the 92nd Highlanders had been compelled to remove his regiment from new and costly barracks at Rawul Pindee to the old buildings of mud and thatch, because it was found that the temperature was so much lower in the latter. The same story came from the new barracks in Nusseerabad, and from other places in which these new barracks had been erected. The wisest plan would be to abandon the new barracks and remove the troops to the hills, where comparatively healthy quarters might be found. It was gratifying to know that the soldiers, averaging 2,000 at a time, who had been employed from 1863 up to the present time in the making of roads among the hills, had enjoyed very much better health and complete immunity from cholera, heat, apoplexy, and other diseases from which 90 per cent of the deaths in the plains arose. The expense incurred in employing soldiers to make the roads had been greater than the profits of their labour; but there should be taken

into consideration the necessity for those roads and the political advantages of having the troops in those places. He wished to have from the Under Secretary of State for India an assurance that the new barracks in unhealthy localities would not be completed, and he hoped the Government would see the necessity of making a radical reform in the matter of quartering the troops not merely as a measure of economy, but on account of the health and welfare of the soldiers, not to say their existence.

SIR THOMAS BAZLEY said, he regretted that the Indian Accounts were in such an unsatisfactory state, and he would suggest that accountants should be employed to render them creditable to the country, and capable of showing the actual position of affairs. There was little doubt that extravagant expenditure was at the bottom of the matter. The Army cost something like £5,000,000 a year more than it ought. If that amount were not spent the income tax which had been so much complained of would be altogether unnecessary, and there would be a surplus instead of a deficit. His right hon. Friend (Mr. Grant Duff) had spoken of the increased production of cotton in India; but it should be remembered that the American supply had of late been very much increased, so that, unless the quality of the Indian cotton was much improved, England would not derive those advantages which she might anticipate. Seeing that the trade and commerce of London were likely to be very much embarrassed by the Continental War, he thought it was the duty of the Indian Government to give every facility for the development of the industrial resources of our great dependency, for he believed that in the future we should have to rely on India much more than in the past, both for a market for our own manufactured articles and for a supply of raw material. A promise had been made some time ago that a Department of Agriculture and Commerce should be established in India, and he hoped that promise would be carried out; otherwise the resources of that great country would continue to lie in a dormant state. One suggestion submitted to the House to-night he had heard with alarm—a proposal to found an engineering College for India. He hoped that would not be carried out, for we had already a superabundance of

engineering talent in this country which was available for India, and not only would the establishment of such a College lead to great unnecessary expense, but the institution would be apt to direct the minds of students rather to the refinements of mechanism than to the useful adaptation of mechanical agencies to the ordinary purposes of life.

MR. KINNAIRD said, he could not let the debate close without saying a few words in defence of Sir Richard Temple, upon whom so many reflections had been cast that evening. It was on an emergency, caused by the failure of the attempts that had been made to obtain a Finance Minister from England to go out to India, that Lord Lawrence had prevailed on Sir Richard Temple to undertake the duties of Finance Minister — duties of great importance and responsibility, and to which he had not been trained. He had discharged those duties with great ability, and therefore no blame ought to be attached to him. Sir Richard had always shown himself to be an able administrator, and he (Mr. Kinnaird) believed it would be found that the Indian Government, in the end, would be in possession of a surplus instead of a deficit. He must also observe that there were plenty of engineers in this country competent to carry on irrigation works in India, and many engineers, including Mr. Hawkshaw, had protested against the contemplated alteration of the gauge of some of the Indian railways, as it would destroy their value for military purposes. With reference to education, enough had been done for the education of the higher classes, who could pay; but he regretted that nothing had been said about the education of the masses of the people. The licensing system of India demanded the attention of the Government, for India was, with reference to it, becoming afflicted with the same evils which had grown up in this country.

MR. WHITWELL said, he hoped the Under Secretary of State for India would be able to give some information to the Committee in reference to the progress of the agricultural education of the people of India, or, at all events, that the Government would give an assurance that some movement was being made in that direction. He wished to endorse what had been said by the hon. Mem-



ber for Manchester (Sir Thomas Bazley), as to the necessity for a reduction of the military expenditure; and, as a Native soldier cost £40 against £180 for an English soldier, he would direct attention to the fact that the reductions of the last 10 years had been made in the Native Forces, while he would suggest the propriety of considering whether the Indian Government ought not to organize its own forces and save the cost of transporting troops between India and this country.

SIR WILFRID LAWSON said, there was no doubt, as the hon. Member for St. Ives (Mr. Magniac) said, a large growth of opium in China, but this was because we would force opium on the people of China; for the Government and the ruling classes still strongly objected to its use, and were willing to give up all Revenue from it. *The Friend of India* stated that the Excise were encouraging the opening of unnecessary shops in India; and, looking merely to the increase of Revenue, were deliberately encouraging drunkenness. The quotation was endorsed by Baboo Keshub Chunder Sen. Last year that House had unanimously decided that the Excise in this country should not be permitted to pursue the same policy, and he hoped that what was too bad for the people of England would not be allowed to flourish in India.

MR. MACFIE hoped the supply of military stores, torpedoes, coals, and other munitions of war would be pressed, and kept up to a sufficiency to meet sudden emergencies and possible retardation of replenishments hence. Comparing the taxation of India with that of the mother country, he found it was a very few shillings per head—only about a fifth of what the people of the United Kingdom had to bear.

MR. CHADWICK said, he thought that there ought to be a reform in the Council of India, and he would urge the expediency of taking steps to promote the cultivation of silk in India.

MR. GRANT DUFF said, that the discussion had wandered over even more topics than was usual in this always the most miscellaneous discussion of the whole Session, and he would try, as briefly as possible, to reply to the various speakers. First came his hon. Friend the Member for Penryn (Mr. Eastwick). Well, with what his hon.

Friend had said about the want of an efficient control over expenditure by the Financial Department at Calcutta, he to a great extent agreed. He thought there should be more control, and that that Department should be more in the position of the Treasury at home. At the same time, the difficulties were very great, historical difficulties arising from the relations of the Government of India with the subordinate Governments, and material difficulties arising from the immense number of treasuries scattered all over India through which business was carried on. Then his hon. Friend spoke about the Persian opium trade. He (Mr. Grant Duff) by no means overlooked its importance. He had alluded to it last year; but on this occasion he had wished to confine himself to the purely Chinese part of the subject. Then, as to sending out an independent financier, of course, that would be an excellent thing if you could first catch him, and then keep him alive, as we had unfortunately failed to do in the case of Mr. Wilson, until he had gained his experience and done his work. Next as to the Secretary of State sending out direct orders for expenditure. His hon. Friend was quite mistaken in supposing that the Governor General and his Council had not been aware that arrangements had been going on with the Admiralty about the employment of Her Majesty's ships in the Indian seas; employment which would, of course, lead to expense.

He congratulated the hon. Member for the East Riding (Mr. C. Denison) on having shown very clearly that, to expect that the Indian Accounts made up to the 31st of December could be discussed in the House of Commons in the February next following, was to expect an impossibility; as soon might they look to see the Ganges running uphill to its source. The hon. Member had, however, fallen foul of the India Office as being secret, despotic, and bureaucratic. Of course it was despotic, for our government of India was a despotism, whatever it might one day become—an enlightened and benevolent despotism, but a despotism nevertheless. As to its being bureaucratic, of course it was bureaucratic; what Office was not bureaucratic? For an Office not to be bureaucratic was a contradiction in terms. As to its being secret, he knew

nothing of an undue secrecy. Of course, all official business must in a certain sense be secret till the proper time. But he was sure he could take hon. Members who had had any business to do with the India Office to witness that, since he represented it in that House, he had done everything he possibly could to give to hon. Members every information of which they stood in need; laying on the Table every Paper asked for which he could lay without impropriety; and, when sometimes a Paper could not be laid, allowing hon. Members to have access to it under the usual honourable understanding which prevailed in that House. The hon. Member, in declaiming against secrecy, had chosen a most unlucky illustration. The hon. Member had not sat in the last Parliament but one, or he would have known that the Paper on Material and Moral Progress, which the India Office was accused of keeping back, was his (Mr. Grant Duff's) own particular pet and bantling. It was he who had, by pointing out to Sir Charles Wood that that Paper had not been produced, as it ought to have been produced, under the clause of an Act of Parliament, which had become a dead letter, first got that Paper presented under the Administration of Earl De Grey in 1866. Ever since he had been at the India Office, he had been trying to have that Paper improved, and this year he was confident that hon. Members would think that it had considerably improved in the hands of Mr. Sturt, who had drawn it up. As for keeping it back, he could only say that he had, for many weeks, made that gentleman's life a burden to him by constantly urging it forward. The fact of the matter was, however, that some of the most important Papers abstracted in that Report had not even come from India until after the day on which it had been laid *pro forma* on the Table of Parliament in compliance with the Act. Then the hon. Member said that the Indian Government kept too large a balance at home, and did not get enough interest for it. But, first, it did not keep a penny more than it could help; and, secondly, if the hon. Member would give a little more interest for it than the Government got in the market, he was very welcome to the use of the money. As for declining to give information to the Government

of India on financial matters, the India Office never dreamt of anything of the kind. It never kept back a scrap of information, unless when it happened to know that certain information was no real information, but would only mislead and bewilder.

The hon. Member then explained the arrangements with the Great Indian Peninsula Railway Company which had been objected to, and read the following memorandum:—

"The Company's debt to Government was for unliquidated arrears of guaranteed interest, plus simple interest thereon, and amounted to between £4,000,000 and £5,000,000 sterling. The only means of paying off such arrears prescribed by the contract was appropriation by Government of one moiety of any surplus net earnings over and above 5 per cent on the capital that might be realized in any half-year. Of course if the arrears should ever be completely paid off, Government would no longer be entitled to any of the surplus profits, which would thenceforward be divided exclusively amongst the shareholders. Under the new arrangement one-half of the surplus profits was to be made over to Government for ever, or as long as the Company endures.

"So that what in the House of Commons and elsewhere has been termed a renunciation by Government of its claim for debt was in reality an engagement on the part of the Company never to cease making to Government precisely those payments to which it would have been liable if the debt had continued for ever. The only possible objection to this arrangement from the Government point of view was that Government, in return for the concession made by the Company, waived the option it previously had of buying up the Railway at the end of the first 25 years—i.e., in 1874. But it was considered that this was an option of which it would not be advisable for Government to avail itself at so early a date. It was thought that Government would have quite enough to do for some years to come in managing the Railways which it was itself about to construct, without undertaking in addition the management of those of the Guaranteed Companies. In waiving its right to purchase in 1874, it was considered therefore to be merely waiving a right which at any rate, it would not be inclined to exercise."

Next came the hon. Member for Stockport (Mr. J. B. Smith), who, as usual, sang the praises of the Godavery works. He (Mr. Grant Duff) could only say that he wished he could share the fine enthusiasm of his hon. Friend. He referred his hon. Friend the Member for Ayrshire (Sir David Wedderburn) to the recent speech of the Duke of Argyll as to the barrack policy. He could assure the hon. Member for Manchester (Sir Thomas Bazley) that the question of creating a Department of Agriculture and Commerce, or some other department closely answering to



that description, was engaging the anxious attention of the Secretary of State and of the Government of India. As to an engineering College, the present system had utterly broken down; the so-called competitive examination was, from the great inferiority of the candidates who came forward, a mere low pass examination, and the creation of an engineering College, into which young men should be drafted by competitive examination, had become a matter of paramount necessity. While he wished to speak very highly of Sir Richard Temple's many abilities and aptitudes, he must point out to the hon. Member for Perth (Mr. Kinnaird) that he had done his friend a most cruel kindness in obliging him (Mr. Grant Duff) to point out that the surplus or equilibrium of the year 1869-70 was obtained in consequence of the measures adopted while Sir Richard Temple was in Europe, by the Viceroy and his Council. No definite resolution had been come to about altering the Indian gauge, and consequently the protest of which the hon. Member spoke would be quite premature, although, of course, Mr. Hawkshaw's opinion would always be valuable and interesting. In reply to the hon. Member for Kendal (Mr. Whitwell), who thought that the time had come for establishing a local Army in India, he must say that that time was not in the future, but in the past, and the shadow did not go back upon the dial.

He would now proceed to deal with the speech of the hon. Member for Brighton (Mr. Fawcett), which, although made on going into Committee, ought to have been made in Committee according to the usual practice of the House, and which had been made in a quite different spirit from that of all other hon. Members who had spoken. Whereas the hon. Member had asserted that they had, two months ago, been told that the deficit would be £1,500,000, no such statement had been made upon authority. The expected deficit, as laid before Parliament in May last, was, as he had already explained, something over £500,000. With respect to the Home Military Charges, if the hon. Member would get the English Treasury to abate its claims from the Indian Treasury, he (Mr. Grant Duff), of course, would only be too happy. The whole question of the Persian mission was being consi-

dered by a Select Committee, and the India Office would be only too delighted if, should the present arrangement continue, it could get off contributing to the expense of that mission. So with regard to the Chinese mission and consulates. The hon. Member, instead of rating the India Office, should draw

"Iron tears down Pluto's cheek,"

and make the Chancellor of the Exchequer relent. As to errors in the Home Accounts, he had to explain that the error alluded to by the Duke of Argyll had been quite misconceived, and was a very venial error after all. It was not an error of account, but a failure of Estimate — the increased charges that would be caused by an entirely new system of furlough rules. That a mistake in such a matter should be made the first year was not very surprising, and, such as it was, he was bound to say the mistake was in no way attributable to the Finance Department at the India Office, which, whatever might be said about the Finance Department in India, was presided over by one of the ablest and most thoroughly satisfactory officials who ever managed any Finance Department in any country. He could not say less in justice to Mr. Secombe. As to the Store Department, which the hon. Member attacked, that Department was presided over by Mr. Talbot, a gentleman of much ability, and of the highest honour. He (Mr. Talbot) was perfectly satisfied that the Department was working satisfactorily, and it must be remembered that all stores collected, and sent out to India by that Department, were subjected to most jealous criticism in India, so that anything wrong would be very speedily detected. At the same time, he was sure that Mr. Talbot, as well as the Duke of Argyll and himself, would welcome any inquiry, if the hon. Member, instead of confining himself to vague and random accusation, would attempt to bring forward facts. All human institutions were imperfect, and a Store Department was just the kind of Department about which the heads of an Office could very rarely in the nature of things know much. He must point out the ignorance displayed by the hon. Member for Brighton in what he said about salt, the duty on which varied from  $\frac{1}{2}$ d. to 1d. in the pound in various parts of India, and was the only tax to which the really poor contributed in that coun-

try at all, taking the place, as it did, of the taxation on tea, coffee, &c. With regard to the remarks of the hon. Member on the Duke of Edinburgh's presents, he had to say that the visit of His Royal Highness had been a great pleasure to the people, and had produced the most excellent political effect. No equal sum of money that had recently been spent in India had done so much good. While the hon. Member had been making his unfortunate remarks, an Indian Prince, the nearest surviving representative of Sivajee, the founder of the Mahratta Empire, had been looking on from the Gallery, and he blushed to think what an impression His Highness must have carried away as to the amount of insight into the feelings of his countrymen possessed by the hon. Member for Brighton, who put himself forward as, forsooth, a great authority on Indian affairs.

MR. FAWCETT said, the hon. Gentleman (Mr. Grant Duff) had accused him of making a speech which was rash, reckless, and erroneous. Indeed, the hon. Gentleman was so confident that this would be the opinion of the House that he did not deign to reply to that speech, but said he would leave other Members to answer it. In point of fact, however, all the independent Members who had addressed the House approved his speech, and his Resolutions, and were prepared to support him if he had gone to a Division. The Under Secretary had remarked that there was one fact which he (Mr. Fawcett) had developed from his inner consciousness. Well, that fact was derived from the speech recently delivered in "another place" by the noble Duke the Secretary of State for India. He felt confident that when he obtained the Committee which the whole House wished to see appointed he should be able to prove all the assertions he had made. In conclusion, he gave formal Notice, that on the earliest possible day next Session he should move for the appointment of a Select Committee to inquire into the financial and general administration of India; and also, that if next year the Indian Financial Statement was made as late as the 5th of August, he should ask the House to express its opinion on such a course of action.

MR. GRANT DUFF said, he held in his hand the speech of his noble Friend

*Mr. Grant Duff*

the Secretary of State for India, and what the hon. Gentleman had stated about £1,500,000 was directly contrary to the facts of the case. The Secretary of State said—

"In March, when the regular Statement was framed on 10 months' of actual expenditure and an Estimate for the next two months, the Government of India were hopeful enough to think that the deficit would be little more than £500,000."

The mistake was made in the leading article of *The Times* the next morning, and the hon. Gentleman it was clear had trusted the statement of the leading article without having read his noble Friend's speech.

MR. FAWCETT said, he had read both the speech and the leading article, and he was sure hon. Members would admit that, considering the general accuracy of the articles in *The Times*, he had not made the statement without foundation.

Motion agreed to.

Resolution to be reported *To-morrow*.

JUDICIAL COMMITTEE BILL—[BILL 249.]

[*Lords.*] SECOND READING.

MR. GLADSTONE, in the absence of the Secretary of State for the Home Department, moved the second reading of the Bill, and expressed a hope that the hon. Member who intended to oppose the Bill would consent to postpone the discussion of its principle until the Motion was made for the Speaker's leaving the Chair.

MR. WATKIN WILLIAMS said, he was very unwilling to defer his Motion, for he did not think the measure could be amended in Committee. In deference, however, to the wish of the House, he would postpone his Amendment until Monday.

Motion agreed to.

Bill read a second time.

TREATIES OF VIENNA, &c.

MOTION FOR PAPERS.

SIR WILFRID LAWSON moved for Copies of the Treaties of Vienna, the Treaty of Paris, 1815, &c.

Motion made, and Question proposed.

"That Copies of the following Treaties,—the Treaty of Vienna, in which a separate guarantee of the Saxon Provinces is given by Great Britain



to Prussia; the Treaty of Paris, November 1815; the Supplementary Treaty, of the same date, excluding the Buonaparte family from the Throne of France, and to maintain which the contracting Powers bound themselves to employ the whole of their Forces; the Protocol defining the territories ceded by France,—be reprinted.”—(*Sir Wilfrid Lawson*.)

MR. OTWAY said, he must decline to accede to the Motion. He had to observe that the Treaty of 1831 was incorporated in the Treaty of 1839; the question, however, with regard to the Treaty of Paris was a very different one, because the Treaty had practically become defunct by the circumstance that a member of the family excluded from the country of France under its provisions had been reigning over that country for 18 years. Were he to consent to the reprinting of the Treaty at this particular juncture, the action might be open to misconstruction.

Motion, by leave, *withdrawn*.

House adjourned at a quarter before Two o'clock.

## HOUSE OF LORDS,

*Saturday, 6th August, 1870.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Joint Stock Companies' Arrangement\* (302); Queen Anne's Bounty (Superannuation)\* (305); Truck Commission\* (304); Sanitary Act (Dublin) Amendment\* (303); Expiring Laws\* (306); Consolidated Fund (Appropriation)\* (309).

*Second Reading*—Foreign Enlistment\* (298).

*Committee*—Local Government Supplemental\* (No. 2)\* (229).

*Committee—Report*—Census (Scotland)\* (279-307); Glebe Loans (Ireland)\* (280); Post Office\* (281); Census (Ireland)\* (286); Meeting of Parliament\* (283); Canada (Guarantee of Loan)\* (284); Beerhouses\* (285); Constabulary Force (Ireland)\* (291); Public Schools Act (1868) Amendment\* (272); Norfolk Boundary\* (275).

*Report*—Real Actions Abolition (Ireland)\* (271); Matrimonial Causes and Marriage Law (Ireland)\* (301).

*Third Reading*—Turnpike Acts Continuance\* (300); Petty Sessions Clerk (Ireland) Act (1858) Amendment\* (273); National Debt\* (249); Statute Law Revision\* (250); Pedlars' Certificates\* (251); Larceny (Advertisements)\* (158); Militia Acts Amendment (No. 2)\* (293), and *passed*.

*Withdrawn*—Petroleum\* (265).

Their Lordships met;—and having gone through the Business on the Paper, without debate—

House adjourned at a quarter before One o'clock, to Monday next, a quarter before Five o'clock.

## HOUSE OF COMMONS,

*Saturday, 6th August, 1870.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Militia Acts Amendment (No. 2)\* [262]. *Considered as amended—Third Reading*—Ecclesiastical Titles Act Repeal\* [231], and *passed*. *Third Reading*—Consolidated Fund (Appropriation)\*; Sanitary Act (Dublin) Amendment\* [254]; British Columbia\* [257], and *passed*.

The House met at Twelve of the clock.

### PRIVATE BUSINESS.

*Ordered*, That Standing Orders 208 and 238 be suspended for the remainder of the Session.

*Ordered*, That, as regards Private Bills to be returned by the House of Lords with Amendments, on or after Monday next, such Amendments be considered forthwith.

*Ordered*, That when it is intended to propose any Amendments thereto, a Copy of such Amendments shall be deposited in the Private Bill Office, and Notice thereof given on the day on which the Bill shall have been returned from the Lords.—(*Mr. Dodson*.)

The House met;—and having gone through the Business on the Paper, without debate—

House adjourned at One o'clock, till Monday.

## HOUSE OF LORDS,

*Monday, 8th August, 1870.*

MINUTES.]—PUBLIC BILLS—*Second Reading*—*Committee negatived*—Stamp Duties\* (295); Stamp Duties Management\* (296); Inland Revenue Acts Repeal\* (297); Greenwich Hospital\* (244); Pensions Commutation Act (1869) Amendment\* (274); Oaths of Allegiance on Naturalization\* (299); Expiring Laws\* (306); Consolidated Fund (Appropriation)\* (309); Joint Stock Companies' Arrangement\* (302); Truck Commission\* (304); Sanitary Act (Dublin) Amendment\* (303). *Second Reading—Committee negatived—Third Reading*—Queen Anne's Bounty (Superannuation)\* (305).

*Committee—Report—Third Reading—Foreign Enlistment* (298).

*Report—Local Government Supplemental* (No. 2)\* (229).

*Third Reading—Real Actions Abolition* (Ireland)\* (271); *Matrimonial Causes and Marriage Law* (Ireland)\* (301); *Census* (Scotland)\* (307); *Beerhouses*\* (285); *Glebe Loans* (Ireland) (280); *Post Office*\* (281); *Census* (Ireland)\* (286); *Meeting of Parliament*\* (283); *Canada* (Guarantee of Loan)\* (284); *Constabulary Force* (Ireland)\* (291); *Public Schools Act* (1868) Amendment\* (272); *Norfolk Boundary*\* (275), and *passed*.

#### BUSINESS OF THE HOUSE.

On the Motion of Earl GRANVILLE, it was Ordered, That for the remainder of the Session the Bills which are entered for consideration on the Minutes of the day shall have the same precedence which Bills have on Tuesdays and Thursdays.

#### FRANCE AND PRUSSIA — NEUTRALITY OF BELGIUM.

##### MINISTERIAL STATEMENT.

EARL GRANVILLE: My Lords, I rise in pursuance of the pledge which I gave the other day, that I would make a statement to your Lordships in reference to the important subject of the neutrality of Belgium. I should have very much preferred laying the Papers on the Table first and subsequently making the statement; but the end of the Session is so very near, and I understand that many of your Lordships are intending to leave London to-morrow. I think it is fairer, therefore, that I should make my statement at the earliest opportunity; and I may add that it is a statement which it would have been impossible for me to make at the last Sitting of the House. With regard to the Papers, I can only say that I shall take all the requisite steps for their being laid on the Table, in order that they may be distributed to your Lordships as soon as it can be done with propriety. It is unnecessary to remind your Lordships that not only the outbreak of the present hostilities, but also certain incidents accompanying them have excited a great deal of anxiety not only in Belgium and in other neutral States of Europe, but also in this country, and that a position of things existed which made it impossible for Her Majesty's Government to remain in a perfectly quiescent state, relying merely on the obligations they had contracted in former times. There were several courses

which might have been taken. There was one thing which we from the first were determined not to do. We were quite determined not to make useless complaints—not to deal in vague threats or indefinite menaces. We might have taken an exactly opposite course. We might have explained to the country and to foreign nations that we did not think this country was bound either morally or internationally, or that its interests were concerned in the maintenance of the neutrality of Belgium. Though this course might have had some conveniences—though it might have been easy to adhere to it—though it might have saved us from some immediate danger—it is a course which Her Majesty's Government thought it impossible to adopt in the name of the country, with any due regard to the country's honour and to the country's interests. Another course would have been that, maintaining our obligations such as they are described in the Treaty of 1839, we might have simply made a declaration of the determination of this country to resist any interference with the neutrality of Belgium by force of arms. Now, in the first place, such a declaration would have been a direct menace to the Powers who are now engaged in hostilities; in the second place, it would have given an appearance of isolation to our policy; and, in the third place, I do not believe it was the course best calculated to prevent that particular event which we wish to avoid. Your Lordships may ask why, if we rejected this expedient, we did not propose to all the neutral States—at all events to all those who are connected in the same Treaty as ourselves—to make a joint declaration to the belligerents to the same effect. Your Lordships, however, have already had painful experience of the fact that time is a very important element in matters of this kind. It would have been impossible to calculate the time which would have been required for negotiating with these several States, even if they were quite ready to meet our wishes. The exact terms of such an arrangement, how far it was to go, and in what manner it was to be carried out, would have occupied time which it was impossible to calculate. We took a different course. I was authorized by a Cabinet Council held on Saturday week, the 30th of July, to write to both of the belligerents to this effect. I wrote to



France and to the Court of Berlin in the same terms *mutatis mutandis*. We said Her Majesty's Government had already expressed their satisfaction with the assurance we had received from France, that the Emperor intended to respect the neutrality of Belgium. We said we had received the same assurance from the other belligerent. We added that we thought there could not be a doubt of the duty of both those countries to maintain the obligations of the Treaty which they had severally entered into in common with ourselves and with other countries; but we had observed that in the declaration of both that the promise was conditional on the other belligerent not violating it, and we could not help gathering from that, that, in the opinion of each, such an assurance was not one of a complete character. We, therefore, proposed to each that if they wished to give a more patent proof to the world of their intention, or wished for a clearer assurance from us that we meant to maintain the independence of Belgium, we were ready either to enter into a Treaty or in some solemn instrument to record our common determination. We communicated the proposal to the representatives of Austria and Russia in this country; and, at the same time, we sent it to our representatives at the Courts of both the belligerents and to the neutrals who are parties to this Treaty. I confess I regret that we had not been able to obtain their previous consent; but time was so precious, and our proposal is so much in accordance with the policy which we believe they wish to pursue, that we had no doubt of their concurring in what we had done. I can only add that we have had no direct answer except telegraphic messages from those Courts, but as far as they go Her Majesty's Government think the assurances are of a satisfactory character. With regard to France, she accepted the principle of the new Treaty we proposed; but she desired to make some modifications in its wording, in order, it was stated, to avoid misunderstanding. Her Majesty's Government were not able to accede to any alteration in the draft Treaty itself, but we willingly gave those explanations which we believed in our own mind expressed the simple and clear meaning of the Treaty; and we have every reason to believe that those explanations will remove all objections on the part of

France to signing it. We are in hourly expectation of an answer from that Government. With regard to Prussia, I heard nothing till Friday, the 5th of August; but on the morning of that day Count Bernstorff told me he had received a message from Count Bismarck, who had left Berlin in order to be present at the head-quarters of the King. Count Bismarck, he told me, had stated that he had not up to that time received any proposal from Lord Augustus Loftus; but he added that he should be ready to concur in any measure which would strengthen the neutrality of Belgium, though he could only give a general assent until he was acquainted with the document itself. Later in the same day Count Bismarck telegraphed that he had received from Count Bernstorff a summary of the draft Treaty, that he had submitted it to the King, and that His Majesty had authorized him to agree to it. Still later on the same day another telegram reached London, saying that the proposal itself had arrived, with the draft Treaty, and that he authorized Count Bernstorff to sign it as soon as the full powers which were being sent to him reached this country. The heads of the Treaty are these—It reserves all the obligations of the Treaty of 1839; it provides that if the armies of either belligerent violate the neutrality of Belgium, Great Britain will co-operate with the other in defending that neutrality, but does not engage to take part in the general operations of the present war between them; and a corresponding co-operation is pledged by the other parties. The Treaty is to hold good for 12 months after the ratification of a Treaty of peace between the two belligerents. I do not wish to enter into any argument on this question; but, perhaps, your Lordships will allow me to state one or two of the objects which we have proposed to ourselves in taking this course. We believe it would be impossible to give a clearer announcement of our determination on this matter; and yet, while we give it positively and clearly, your Lordships will agree that we do so without menace, or without anything offensive to the two belligerents, with whom we are still in friendly alliance. We think, moreover, that it is calculated to prevent, both politically and strategically, that event which we particularly wished to avoid, and we trust that it is calculated to increase con-

fidence and calm the alarm which has certainly been felt for some days past with regard to a question to which England attaches the greatest possible importance. I am aware that objections may be raised to the course which we have taken, as there might have been to any possible course which we could have selected. There is one objection which I believe is entirely without foundation—namely, that the very fact of this Treaty which we propose being entered into will in the slightest degree impair the obligations of the Treaty of 1839. Those obligations we have expressly reserved in the words of this Treaty. I may remind your Lordships, too, that within the last 20 years a most important Treaty was entered into by some of the greatest Powers of Europe, and that only a fortnight after, without any intervening event whatever, three of them entered into an obligation to defend by arms the guarantee which they had previously given by a Treaty more numerously signed. I have not thought it right to trouble your Lordships with any argument in the matter. I hope I have said enough to show that Her Majesty's Government have not been indifferent, and that they have not been idle in trying to maintain the position which this country ought to hold with regard to this great and important question.

THE DUKE OF RICHMOND: My Lords, I am sure the House must fully appreciate the motives which have actuated my noble Friend in making the statement, to which your Lordships have just listened, before the Papers have been laid on the Table, and your Lordships have had an opportunity of perusing them. It is satisfactory to find that Her Majesty's Government are determined to maintain the honour of this country—to maintain, as they say, the neutrality of Belgium—and to maintain inviolate Treaties which are now in existence. It would not be convenient—nor, indeed, would it be possible—to enter now into any discussion on the subject, for, however interesting the statement made by my noble Friend, it is obviously impossible to form any decided opinion on the conduct of Her Majesty's Government until we have seen the Papers and thoroughly mastered all the details of the matter. I think, however, I should be wanting in my duty if I did not rise to thank him for making this statement be-

fore laying the documents before us, believing as he did that this would meet the wishes of your Lordships. I trust the course which has been taken by the Government on this occasion will be that matters, so far as this country is concerned, will remain as they are, and that we shall be enabled to remain in a state of perfect neutrality, at the same time maintaining inviolate the honour of this country.

# FOREIGN ENLISTMENT BILL—(No. 298.)

(The Lord Privy Seal.)

## COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD HOUGHTON asked Her Majesty's Government, Whether they believe they have power under the Customs Consolidation Act to prohibit the export of munitions of war, and whether they are prepared to exercise that power in the interest of the neutrality of this country between the contending Powers on the Continent? This question had been considered by the Neutrality Commission, of which he was a member, and though the majority of the Commissioners made no distinct recommendation upon it, such a prohibition was advocated by some of the most distinguished and experienced members. He believed that a power of prohibiting the exportation of munitions of war to belligerent Powers was already vested in the Government; but there would be an advantage in making such export absolutely illegal—so as to relieve the Government from the responsibility of stopping that export when the emergency actually arose. Public opinion seriously demanded this step. While conscious how inconvenient it would be to certain branches of trade, how difficult to enforce it in a country where such interferences were rare, and how possible it would be for some munitions of war to escape the vigilance of the public officers, public opinion believed that the measure would be a just and politic one. He trusted to hear that the Government intended to take this course. He regretted that the Report of the Neutrality Commissioners should have been on the Table two years, and should only have been acted upon in this hurried manner, without the possibility of explanation and due consideration. He



would further ask whether Her Majesty's Government were justified in the present condition of foreign affairs in proroguing Parliament at all? A short adjournment would answer all the purposes of a Prorogation, and he believed would be more consonant with the feelings of the people. There was a Bill before their Lordships' House which would enable Parliament to be summoned more quickly than heretofore; but the summoning of Parliament at an unusual season always agitated the country and unsettled commerce. He must say he thought it unworthy of the subject and hardly respectful to the Commissioners, to pass the second reading of this Bill without a word of explanation or discussion.

VISCOUNT HALIFAX thought it best simply to answer his noble Friend's Question, without entering into the expediency of proroguing Parliament or into other general questions of policy. There was no doubt the Government had the power of prohibiting the export of munitions of war, or of any articles tending to increase the naval or military force of any other country; but it could only be exercised by a complete and entire prohibition, affecting all other countries indiscriminately—and this had never that he was aware of been exercised, nor did the Government think it expedient that the export of munitions of war to belligerents should be absolutely prohibited.

LORD CAIRNS said, the noble Viscount's answer would tend to dispel a good deal of confusion which prevailed in the public mind on this subject. It could not be too clearly understood that although the Crown could by Order in Council prohibit the export of munitions of war and warlike stores, that power was only intended to be exercised, and could only be exercised, for the purpose of keeping such munitions and stores in this country for the benefit of this country. Moreover it was not a power to prevent exportation to particular places and to particular belligerents. If exercised at all, it must apply to all countries and places whatever—the prohibition must be entire and complete. The consequence was it could not be applied to the present emergency to prevent the supply of munitions to the belligerent Powers. Whether it was expedient now to give the Crown power to prohibit the export of munitions of war to either of

the belligerents was a different question, on both sides of which much might be said; but it could hardly be discussed at this period of the Session. It would be easy to empower the Government to prohibit the export of munitions of war which by universal consent were contraband of war; but difficulties arose with respect to coal, and articles which, according to jurists, might or might not be *ancipitis usus*; in which case the question whether they were contraband of war could only be determined by the Prize Court of the capturing Power. Nothing would be more at variance with International Law than for a neutral Power to take upon itself to decide whether in particular cases articles which were *ancipitis usus* were or were not contraband of war. On the whole, the Government had acted wisely in not inserting in this Bill such a power.

House in Committee.

VISCOUNT HALIFAX said, he had refrained from entering into any explanation of the object and provisions of the Bill on occasion of the second reading, on account of the small attendance which could be expected at a Saturday Sitting; but he would now do so very shortly. The Bill repealed the existing law, re-enacting it with such improvements as experience had shown to be desirable. It prohibited subjects of Her Majesty, without licence from the Crown, from taking any part in hostilities between two countries with which Her Majesty was on friendly terms. He need not adduce arguments to show how unjustifiable and monstrous it would be for British subjects to take part in hostilities, when the avowed policy of the Government was that of perfect neutrality; but it was a question not of International but of Municipal Law—not between this country and foreign countries, but between the Crown and the subjects of the Crown. A similar law existed in the United States; while on the Continent Governments were able to prevent their subjects from violating neutrality. The principal objects of the Bill were to prohibit any subject from enlisting or inducing others to enlist in the service of a belligerent Power, and from fitting out, equipping, or arming any vessel for such service. During the American War the powers of the Government in this matter were found to be insufficient. In

the case of the *Alabama*, that vessel left this country before the order of the Government, issued as soon as they had sufficient evidence before them, reached the port, she left our port as an unarmed ship, and only received her armament at sea, beyond our jurisdiction; so that no blame could attach to the Government; and in the case of the *Alexandra* and of the rams, proceedings before legal tribunals resulted in a proof that the Government had not sufficient power in the matter. They were, therefore, glad to buy the rams in order to avoid any difficulty. This defect would be removed by the present Bill, which was based on the Report of a Commission presided over by the late Lord Cranworth, and composed of other distinguished men. It was no disrespect to them that the Report had not been sooner carried out, for matters of great importance had occupied the attention of Parliament during the past two years; but the pressure of circumstances had now necessitated the passing of a Bill with unusual rapidity. The measure gave power to the Secretary of State to detain a suspected ship; as also to local officers at the ports, who would report to the Secretary of State, so as to cast on him full responsibility. It embodied all the recommendations of the Report, with the exception of that relating to the reception of vessels into British ports, and this object could be accomplished by Orders in Council.

LORD HOUGHTON asked for a more categorical answer to his Question.

VISCOUNT HALIFAX said, he could only repeat his statement that the Government did possess the power to prohibit the exportation of munitions of war; but the prohibition must be universal.

THE LORD CHANCELLOR remarked that there was no doubt on the point, and that the object of the power in question was to retain in this country all *matériel* of war. The export could not be forbidden merely to belligerent Powers.

VISCOUNT HALIFAX then moved that Standing Orders, Nos. 37 & 38, be considered, in order to being dispensed with.

LORD HOUGHTON said, he felt it to be useless to oppose the Motion, though it precluded the consideration of additional powers which might advanta-

geously be included in this Bill. He rejoiced that the King of the Belgians, in spite of the large interests of his subjects in the manufacture of arms, had prohibited their exportation to the belligerents; thus setting an example which it behoved this country to follow.

LORD REDESDALE thought the late introduction of this Bill was excusable, as the exigency which called for it had only just arisen. He was not at all disposed, moreover, to blame the Government for getting Parliament to separate as soon as possible.

Motion agreed to.

Standing Orders dispensed with.

Amendments reported.

Bill read 3<sup>a</sup>, with the Amendments, and *passed*, and sent to the Commons.

#### GLEBE LOANS (IRELAND) BILL.

(*The Lord Dufferin.*)

(NO. 280.) THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3<sup>a</sup>."  
—(*The Lord Dufferin.*)

LORD REDESDALE said, he did not see that any security was taken in the Bill to prevent the alienation of the property upon which money was to be advanced. He thought the Bill required much consideration, and he suggested that it would be better to postpone the Bill for another year, rather than hurrying it through Parliament without due consideration. If the matter were of importance, the Bill ought to have been brought forward at an earlier period of the Session.

LORD DUFFERIN said, there had been no undue haste in passing the Bill, for it had been opposed at almost every stage in the other House. It would occasion great disappointment in Ireland if the passing of the Bill were delayed, for it had been received with favour by all denominations in that country. It secured an object which was originally contemplated at the time of the passing of the Act to disestablish the Irish Church; and, practically, there was not the slightest danger of that alienation which the noble Lord the Chairman of Committees thought it necessary to provide against; for it was not likely that persons would, from religious motives,

*Viscount Halifax*



become responsible for the repayment of the sums to be advanced if there was any probability that the property would be alienated to other uses.

Motion agreed to : Bill read 3<sup>a</sup> accordingly.

LORD CAIRNS said, it was to be regretted that so important a measure should have been introduced at so late a period of the Session ; but, at the same time, to refuse to pass it would occasion great disappointment to some religious parties in Ireland who were anxious to avail themselves of the powers of the Bill. He should approve of any properly framed Bill to effect this object ; but he saw in this Bill very great peculiarities, indicative of the great haste with which it had been prepared, and which he feared would lead to great inconvenience in the working of it. There was no provision to prevent the alienation of glebe houses or glebe lands from the purpose to which the advance implied that it was to be devoted ; but in the Irish Land Bill the Government thought it necessary to take security for 35 years in respect of land purchased by a tenant. A strange phrase had been used in the Bill, utterly at variance with the present state of things in Ireland, for it spoke of a clergyman "having the spiritual charge of a parish or district"—a charge which, in the disestablished condition of the Church, no clergyman could have.

THE LORD CHANCELLOR thought there was something in the last objection taken by the noble and learned Lord, and proposed to meet it by substituting the phrase used in the Charitable Bequests Act—namely, "officiating in any parish, &c." In relation to the main object of the Bill, it was desirable that it should come into operation while the friends of the disestablished Church were full of zeal to establish ministers in their work and vocation. It was not necessary to make any provision in respect of the particular contingency which noble Lords apprehended, for it was most unlikely to occur. There was no analogy between the Land Act and the Church Act. If those who had established a minister wished to sell the glebe, that must arise from the body being broken up in the district ; and, in such a case, there could be no reasonable objection to their being allowed to dispose of the property.

LORD CAIRNS thought the Amendment suggested by the noble and learned Lord would make the matter worse.

LORD REDESDALE moved to insert the following clause :—

"Every house built, enlarged, or improved, and every glebe or house purchased under this Act, shall be thenceforth held and occupied for that purpose only for which the same was originally provided, and shall not be alienated from that purpose without proof having been given to the satisfaction of the said Commissioners that the same is no longer required for that purpose."

LORD DUFFERIN feared it was impossible to accept the clause, for reasons which he had already stated.

LORD REDESDALE said, the noble Lord had not advanced any valid reason for objecting to the clause ; and, as to the reason given by the noble and learned Lord on the Woolsack, if it was not likely that alienations would occur, there could be the less difficulty in accepting a provision which prohibited them. Therefore he moved the insertion of the clause.

THE EARL OF KIMBERLEY reminded the noble Lord that the Bill had been several days before the House, and no Notice had been given of this Amendment.

THE DUKE OF RICHMOND said, the Bill had been introduced on the 4th of August, and had therefore gone through all its stages here in four days, including Sunday. He could see no objection to the Amendment. If money was only wanted for the purchase of glebe houses, why not say so ?

THE LORD CHANCELLOR said, that if the clause were inserted it must go down to be discussed in the other House, where it had been discussed at considerable length already. There was great inconvenience in discussing Amendments that were proposed without Notice, because it was impossible to discover all the objections that might arise to a clause when they had to consider it in a hurry. It might be thought necessary to remove a residence from one part of a parish to another, and to do so it might be necessary to dispose of that already occupied ; but if the clause were agreed to it could not be done.

LORD REDESDALE said, the Bill was brought into the other House on the 18th of July, it was read a second time on the 26th, was considered on the 1st August, and read a third time on the

3rd. Every stage of the Bill; except the second reading, had been taken after midnight. Such treatment at this period of the Session was really monstrous.

On Question?—Their Lordships *divided*:—Contents 13; Not-Contents 30: Majority 17.

*Resolved in the Negative.*

Amendments made.

Bill *passed*, and sent to the Commons.

#### ECCLESIASTICAL TITLES ACT REPEAL BILL.

##### COMMONS' AMENDMENTS.

Order of the Day for considering the Commons' Amendments, read.

LORD CAIRNS expressed his surprise at the course that had been taken with regard to this measure. When the Bill was first introduced considerable objection was taken to it by several noble Lords. Some objected to the repeal of the Ecclesiastical Titles Act altogether; others, like a noble Earl (Earl Russell), did not object to the repeal, but objected to the wording of the Bill. For his own part, recognizing, as he did, that the Government were under an obligation to propose some measure of this kind, he was anxious to make it acceptable to both sides of the House. He accordingly proposed certain Amendments, with which he understood the Government were satisfied, and the consequence was that a great number of Peers had left town under the impression that the Bill was beyond the risk of alteration. In the other House of Parliament he was aware that the same thing had taken place. But the Home Secretary had taken an objection to the Bill as altered, in which he must have been misreported; for he could not conceive that the right hon. Gentleman could fall into such a mistake as he was represented to have made. He did not promise to go into the general question at a time when so many of their Lordships who had taken part in the former discussions were absent; and he thought the only course now was to withdraw the Bill till next Session.

THE LORD CHANCELLOR said, he believed there was a considerable difference of opinion as to the words, even among those who were mainly affected by them. It was believed, when

the Bill was originally brought in, that it would give general satisfaction; but he was aware that there were several of those affected who preferred the words of his noble and learned Friend (Lord Cairns). There had been some misapprehension on the subject in the other House. He regretted this, as the Government were under a promise to introduce a Bill on this subject in the present year. He did not say that the Bill of his noble Friend (the Earl of Kimberley) was free from all objections; but he could say confidently that it was free from some objections to which the words of his noble and learned Friend were exposed. It was of course impossible to satisfy all parties.

THE EARL OF KIMBERLEY said, that under these circumstances Her Majesty's Government would not ask their Lordships to agree to the Commons' Amendments, but would withdraw the Bill for the present.

LORD DENMAN said, that in the words of a noble Relation of his, the Bill of 1851 was "a mockery, a delusion, and a snare." He wished that the Amendments repealing the Act could have been agreed to. No one had been prosecuted under it—it was a mere insult to the Roman Catholics, as had been remarked by a noble Member of the House of Howard, as to the Preamble of the Bill. The Bill ought to have been a real repeal of the original Act.

Order of the Day *discharged*.

#### SOUTHWARK PARK, THE NEW PUBLIC OFFICES, AND THE THAMES EM- BANKMENT.—PETITION.

LORD REDESDALE *presented* a Petition from the Vestry of Bermondsey, praying that no part of the land purchased for Southwark Park be let for building purposes: Also to ask whether it is intended to obtain powers next Session to purchase the remaining part of the west side of Parliament Street and the corresponding part of King Street; and whether the architect for the new offices has been desired to prepare plans for completing the Council Office buildings by connecting them with the new offices to be built on the other side of Downing Street, or otherwise, whereby the two blocks of building may be brought in unison: To ask in what

*Lord Redesdale*



manner it is intended to occupy the vacant spaces acquired within the new embankment, and whether it is intended to apply for powers to purchase the buildings below Craven and Northumberland Streets down to the new embankment.

THE MARQUESS OF LANSDOWNE said, that the Government had not recently directed its attention to the proposed acquisition of the west side of Parliament Street and the corresponding portion of King Street, nor had the architect prepared plans for connecting the Council Office buildings with the new buildings referred to. With regard to the vacant spaces on the new Embankment, he must refer the noble Lord to the recent discussion on the subject in the House of Commons and its result. He had to add that the Government had no intention of buying the buildings below Craven Street and Northumberland Street down to the Embankment.

LORD REDESDALE expressed extreme regret at the manner in which these matters were dealt with; there seemed to be no forethought of any kind exercised upon such subjects. The manner in which the communications between the Embankment and the Strand were to be made was of the utmost importance. If the land were not bought as he suggested a great loss would result to the country, because the value of the property was increasing daily.

Petition read, and ordered to lie on the Table.

House adjourned at a quarter before  
Eight o'clock, till To-morrow,  
Eleven o'clock.

## HOUSE OF COMMONS,

*Monday, 8th August, 1870.*

MINUTES.]—PUBLIC BILLS — *Ordered—First Reading*—Parish Churches\* [263].

*Second Reading—Committee—Report—Third Reading*—Militia Acts Amendment (No. 2)\* [262], and *passed*.

*Committee*—Judicial Committee [249]. [No Report.]

*Withdrawn*—Divine Worship in Licensed Buildings\* [245].

## METROPOLIS—APPROACHES TO THE EMBANKMENT.—QUESTION.

MR. W. H. SMITH said, he wished to ask the First Commissioner of Works, If he can inform the House what steps are being taken by the Metropolitan Board of Works to open up approaches to the Embankment from the Strand and Fleet Street, and when such approaches will be available for the public use?

MR. AYRTON, in reply to the Question of the hon. Gentleman, said, he had to state that he was informed by the Metropolitan Board of Works that they were taking steps to open up two approaches to the Thames Embankment, the one from Villiers Street and the other from Norfolk Street, and the works for that purpose would be in hand at an early period.

## ARMY—MILITIA DESERTION. QUESTION.

COLONEL BERESFORD said, he would beg to ask the Secretary of State for War, If his attention has been drawn to the cases of four Militiamen, by name John Collins, William Osgood, Philip Kearns, and Henry Ives, who were tried on Monday last at the Police Court, Chatham, for being deserters from the Kent Militia Artillery, and in conformity with the Militia Act (1859), 22 & 23 *Vict.*, c. 38, s. 12, were fined forty shillings each and costs, with the option of two calendar months' imprisonment, the case being that the said four prisoners, being artizans, had accepted an engagement on board the Great Eastern Screw Steamer while that vessel was employed in laying a submarine cable, and did not return to England in time to serve with their regiment during the training; and, whether he will, early next Session, propose an Amendment to the Militia Act, giving a discretionary power to magistrates to deal with similar cases according to their merits?

MR. CARDWELL said, in reply, that he did not see anything unusual in the case. The men were absent without leave, and when brought before the justices they were condemned to the smallest possible penalty under the statute.

The House met at Three of the clock.

# ARMY—SUPPLYING RESERVE AMMUNITION.—QUESTION.

COLONEL CLIVE said, he would beg to ask the Secretary of State for War, Whether, in his opinion, the present system of supplying reserve ammunition to troops in the field is likely to work satisfactorily in action, and, if so, whether he would not consider it desirable that the system should be practised occasionally at our camps of instruction?

MR. CARDWELL: Sir, the general system of supplying reserve ammunition to troops in the field is already laid down, and is likely to work satisfactorily. A Committee has been sitting to consider it in its details, and the details which they recommend are about to be tried at Aldershot and elsewhere.

# THE FRANCO-PRUSSIAN CORRESPONDENCE.—QUESTION.

LORD EDMOND FITZMAURICE said, he would beg to ask the First Lord of the Treasury, If he has observed and can explain the remarkable difference in the dates in the two extracts given below from the Franco-Prussian Correspondence (No. 2), Despatch No. 5, page 4, Count Bismarck to Count Bernstorff—

“When the more modest French designs with reference to Luxemburg had been counteracted by events which are publicly known, the more extensive propositions embracing Belgium and Southern Germany were renewed. It is at this time, in 1867, that Count Benedetti’s manuscript was communicated to me.”

Despatch No. 7, pages 5 and 6, Lord Augustus Loftus to Earl Granville—

“With reference to my telegram of yesterday, I have now the honour to transmit to your Lordship a lithographed copy of the draft of the Treaty of Alliance, offensive and defensive, which M. Beneditti proposed for the acceptance of the Prussian Government at the commencement of 1869, on the eve of the Belgian railway question.”

And if it was not Count Bismarck who gave Lord Augustus Loftus the information on which his Despatch above quoted was based?

MR. GLADSTONE: Sir, the noble Lord is correct in the reference that he makes to the Papers he has quoted. But we are not aware that it was Count Bismarck who gave Lord Augustus Loftus the information upon which the despatch quoted was based. With regard to the affair of M. Benedetti, I

think, considering the transactions between the two foreign Governments, and that it is possible the whole of the elucidations of those transactions have not yet been produced, it would be better that I should abstain from giving an explanation which might be imperfect.

# THE CUSTOM HOUSE.—QUESTION.

LORD ERNEST BRUCE said, he wished to ask the Financial Secretary to the Treasury, Whether Her Majesty’s Commissioners of Customs cannot make some arrangement for the safe custody of goods landed at the Custom House in London from steamers in the river till such time as the persons to whom the goods are consigned can attend themselves, or by their agents, bearing a written order to open the packages, the present practice being for the Custom House Officers to allow any self-constituted agent to seize a package, break open even locks, and carry off the goods when passed without any authority whatever, and to conduct the examination in a yard or shed, which is not even the property of Her Majesty, whereby several robberies have recently been committed, and much loss of property has occurred; and, whether the Custom House Officers are not amenable to the law as accessories to these robberies?

MR. STANSFELD said, in reply, that he was sorry he had not had an opportunity of discussing this question personally with the noble Lord, for he might have shown him that he was under considerable misapprehension as to the rights, powers, and duties of Custom House officers. It was not correct to say that the practice was that the Custom House officers should allow any self-constituted agent to seize a package, break open the locks, and carry off the goods. The state of the case was this—The functions of the Custom House officers ceased when they had ascertained whether there were any goods on which duty had to be paid. The right to seize these goods depended on the bill of lading forwarded by the consignee from a foreign port.

# WRITERS UNDER THE BOARD OF CUSTOMS.—QUESTION.

MR. REED said, he wished to ask the Secretary to the Treasury, Whether the result of his communication to the Board



of Customs will secure to the "Writers" in that department during this summer a fortnight's leave of absence without loss of pay?

MR. STANSFELD, in reply, said, that this was one of the questions now under discussion between the Treasury and the Board of Customs, and he hoped a decision would be come to in the course of 10 days or a fortnight.

#### THE WAR—PRODUCTION OF PAPERS. QUESTION.

MR. SOMERSET BEAUMONT: I beg, Sir, to ask the First Lord of the Treasury, Whether he will undertake that any further Papers, with reference to the War, shall be communicated to Parliament in time to allow of a discussion on their contents before the Prorogation?

MR. GLADSTONE: Sir, it would be very difficult for me to promise absolutely that further Papers with respect to the War should be communicated to Parliament in time to allow of discussion before the Prorogation, if the arrangements as to the Prorogation should be finally confirmed to-morrow. According to the state of Business, it appears that the Prorogation may, in the natural course, be on Wednesday. It is very possible that we may be able to lay Papers on the Table to-morrow; and, with the permission of the House, after the Questions are concluded, I will endeavour to state, as exactly as I can, what has occurred so far as the Government are concerned, and then hon. Gentlemen present will be able to judge.

#### METROPOLIS—THE FOREIGN CATTLE MARKET.—QUESTION.

SIR CHARLES WINGFIELD said, he wished to ask the Vice President of the Council, Whether the Corporation of London have taken any and what measures for the provision of a Foreign Cattle Market?

MR. W. E. FORSTER said, in reply, that the Markets Committee of the Corporation of London had submitted to the Privy Council a site which they considered sufficient for the purposes of the proposed market. The only reason why further measures had not been taken was, that up to the present time the Privy Council were not fully convinced that there would be sufficient water ac-

commodation at the site. Inquiries were made into the matter, and until those inquiries were completed nothing further could be done.

#### THE NEW FOREST.—QUESTION.

MR. P. A. TAYLOR said, he would beg in the absence of his hon. Friend (Mr. Fawcett) to ask the Secretary to the Treasury, Whether he can promise that no sale or other permanent appropriation of Crown Land in the New Forest shall take place until Parliament has had an opportunity of expressing its opinion on the subject?

MR. STANSFELD replied that there could be no considerable sale or appropriation of land without an Act of Parliament for disafforesting the New Forest. There was a limited power under the Act 10 *Geo.* IV., c. 50, enabling the Commissioners, under certain conditions, to alienate small portions of the forest not exceeding in value £1,000. but there was not the slightest chance that any considerable appropriation would be made.

#### HARBOURS OF THE COLONIES AND OF INDIA.—QUESTION.

MR. W. H. SMITH said, he would beg, in the absence of his noble Friend (Viscount Sandon), to ask the First Lord of the Admiralty, with reference to the Defence of the Harbours of the Colonies and of India, Whether the "*Cerberus*" has left for Melbourne, and whether the "*Abyssinia*" and the "*Magdala*" have left for Bombay; and whether applications have been received from other Colonies for similar ships for the defence of their Harbours; and, whether such applications would be complied with, the cost of maintenance being undertaken by the Colony so applying?

MR. CHILDERS said, in reply, that he had received a communication from the Colonial Office proposing the necessary arrangements for handing over the *Cerberus* to the Colony, but the vessel had not yet left. The *Abyssinia* and the *Magdala* had not left for Bombay. As to whether applications had been made from other Colonies for similar ships for the defence of their harbours, he had to say that the *Cerberus* was built at the cost of the Colony of Victoria, and that the Colonial Naval Defence Act provided for her future status and disci-

pline. He was a party to the introduction of the Bill, which he thought very valuable, and Her Majesty's Government would be very glad to see other Colonies take advantage of the Act. He did not think, however, there was any application on the subject at present.

## CIVIL SERVICE EMPLOYEES.

## QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, What special arrangements under the new system of open competition for Civil Service vacancies, to be in force from the thirty-first of this month, will be made to meet the cases of those *employés* of the Civil Service who, having been deprived of appointments through recent reduction or abolition of office, are now awaiting re-appointment?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the case of such *employés* has not been overlooked. They are mentioned expressly in section 7 of the Order in Council. The exact steps that will be taken with regard to the matter are not yet settled.

## METROPOLIS—TEMPLE BAR.

## QUESTION.

MR. WHITWELL said, he wished to ask the First Commissioner of Works, Whether he can hold out any hope to the House that he will be able to convince the Metropolitan Board of Works, on artistic and utilitarian grounds, that Temple Bar ought to be removed or widened during the erection of the New Law Courts; and whether he, in his official capacity, does not think that the time has come for removing the barrier at the end of Fleet Street, whereby all traffic passing along it is brought to a slow speed, if not almost to a standstill, thereby inflicting a loss of time amounting to an enormous aggregate upon all those who have to pass through the narrow block passage to the City?

MR. AYRTON said, in reply, that he was not able at this moment to state what might be the views of the Metropolitan Board of Works with reference to Temple Bar. He regretted that the gentleman who had so long and ably filled the office of Chairman of that Board had died that morning. He hoped the office might be filled up by a

man of equal intelligence and judgment; and, if so, he had no doubt that the Board would be led to the conclusion that the sooner Temple Bar was removed the better for the public. The space Temple Bar occupied was about 11 feet, and therefore it was quite clear if Temple Bar was removed 11 feet would be available for some purpose or other. But it was not merely that Temple Bar was an obstruction: everybody must feel that it was divested of every possible interest, whether artistical or otherwise.

## ARMY—BREECH-LOADERS FOR THE VOLUNTEERS.—QUESTION.

In answer to a Question from Mr. SCLATER-BOOTH,

MR. CARDWELL said: I am not prepared to enter into an engagement to furnish breech-loaders to any particular corps of Volunteers. It is my intention to lay down rules for the gradual arming of the Volunteers with breech-loaders; but it is necessary to take precautions with respect to their custody, since they require much greater care than is at present paid in many instances to the muzzle-loading Enfields. I may take this opportunity of repeating that it is intended to publish as soon as possible Regulations by which officers and sergeants can qualify so as to earn within the year the £2 10s., making in all £4, which is necessary as the equivalent for an additional 5s. to the Capitation Grant. They will be framed with a view of rendering it as little inconvenient as possible to every qualified officer to obtain the necessary certificate, and though opportunities of attending schools of instruction will be afforded to those who require it, those who are qualified already will be enabled to obtain the certificate without doing so, and by simple examination at head-quarters. It will also be made less troublesome to earn £1 10s. to those whose shooting enables them to attain the required class in a smaller number of rounds, and the standard will be only 30 points for those who continue to fire with the present weapon. The Regulations will also provide additional facilities for a portion of the force to go to camps of exercise, by a contribution towards the expense of constructing the camps, with arrangements for obtaining rations at contract prices.



## THE PRAYER BOOK.—QUESTION.

MR. W. H. SMITH said, he would beg to ask the First Lord of the Treasury, Whether, seeing that the Table of Lessons Bill has been withdrawn, Her Majesty's Government will consider the further Report of the Ritual Commission, with a view to seeing whether they cannot introduce a measure next Session to make such alterations in the Rubric as may be advisable?

MR. GLADSTONE: Sir, Her Majesty's Government reluctantly abandoned the intention of prosecuting the Bill for amending the Prayer Book by the substitution of a new Table of Lessons, solely on the ground that they found unequivocal evidence that many hon. Members, well entitled to be heard on such a subject, and by no means confined to one section or party in this House, were disposed to object to our proceeding with such a Bill at the end of the Session, and likewise to contend that it was not desirable to deal with the Lectionary apart from the rest of the Prayer Book. Those allegations were of such a character that the Government felt it would be their duty to defer to them. The hon. Gentleman has stated that considerable inconvenience arises from a stagnation of the trade connected with the printing and binding of Prayer Books, and I am afraid I am not in a position to deny that such stagnation of the trade does exist. But the Question which he puts to me is a serious one—namely, whether we will consider the further Report of the Ritual Commission with the view of introducing, if possible, early next Session a Bill dealing with the whole subject of the Rubric. That is a most grave matter, and I am sorry to say it is totally impossible for the Government—which has not yet received the Report—to enter into any engagement whatever respecting it. The only thing which I, for one, have heard is, that the Commission has experienced extreme difficulty in dealing with the question, and that a considerable degree of diversity of opinion exhibited itself in the Commission. If that be so, it would be rash on the part of the Government even to hold language which at this stage might create an expectation that they would be able to deal with the question at a very early period. Upon a matter of this kind it would be ex-

tremely difficult for the Government to enter, except when the way is prepared by a great union of opinion, otherwise they might do additional harm by raising serious and prolonged controversies.

## NAVY—NAVAL STORES, &amp;c.

## QUESTION.

SIR JOHN HAY said, he would beg to ask the First Lord of the Admiralty, If it is true, as reported in "The Western Morning News" of the 3rd August, that the "*Agincourt*" and "*Northumberland*" having been ordered to sea, it was found that they could not leave in consequence of the almost total absence of shells and ammunition at the Bull Point Magazine; whether the "*Audacious*," "*Iron Duke*," and "*Vanguard*," now fitting at Devonport, will be delayed for want of tanks, of which there are none in store to fit them, several of that size having been sold three or four months ago; if it is true that the "*Captain*" and "*Monarch*" are 246 Palliser shot short of their complement, or half the number, and that there are none in store, and that the plant at Woolwich can only turn out seven or eight a day; and what steam factory accommodation the Admiralty possess in the Thames and Medway for refitting a North Sea fleet since the closing of Woolwich Dockyard and Factory?

MR. CHILDERS: Sir, the Questions of the hon. and gallant Gentleman concern the War Office more than the Admiralty, as the Secretary of State for War has under him the establishments at Woolwich and the magazines; but I have my right hon. Friend's permission to reply to so much of these Questions as concern him. In answer, then, to the first Question, I have to say that it is not true either that the *Agincourt* and *Northumberland* were delayed in going to sea, or that there is an almost total absence of shells and ammunition at the Bull Point Magazine. Both ships went to sea to the hour, and there is an ample reserve, both of shells and ammunition at the magazines. The origin of the rumour is that for some short time past the Palliser projectiles have been in course of examination, and that, in consequence, on the day when the ships sailed, out of 2,380 projectiles, which was the complement of each, 180, or 8 per cent, were short in the *Agincourt*,

and 119, or 5 per cent, were short in the *Northumberland*. These were sent out on the following day in the *Monarch*. There is not a word of truth in the report as to the tanks of the *Audacious*, *Iron Duke*, and *Vanguard*. The *Audacious* and *Vanguard* had their tanks on board a long time ago, and the *Iron Duke*, which recently came round to Plymouth, will have hers in good time. There is no deficiency in the store of tanks. The tanks which were sold some time ago, were unserviceable, and were only sold without being broken up for old iron because it was anticipated that they would, as they did, fetch a better price. As to the projectiles in the *Captain* and *Monarch*, the facts are these—The full complement of shell is on board, and there is a sufficient supply in store of shot of the old pattern; but recently the Admiralty have agreed with the War Office to make shot for the 12-inch guns of an altered pattern, and when these ships went to sea it was thought better only to take a half supply of the new pattern than some of the old and some of the new. They therefore took 80 rounds per gun of the new pattern, which is far more than sufficient for an experimental cruise. I find from Colonel Milward that, instead of seven or eight, the plant at Woolwich can turn out 25 to 30 projectiles a day—and more with a small expenditure if necessary—and the Admiralty have arranged with the War Office the proportion of shot and shell. As to the last Question, the hon. and Gentleman, who has been at the Admiralty, knows the capacity of the factory at Sheerness, and the amount of factory work which has been done at Chatham. I presume, however, that his Question points to some supposed work which cannot now be done for a fleet such as the Channel Fleet, after an action in the North Sea, in consequence of the closing of Woolwich. To that I have only to reply that not one of the iron-clads in the Channel Fleet could have gone into Woolwich Dockyard had it been open, and that its factory could only have been of service to the smaller class of iron-clads, none of which are in the Channel Fleet.

Mr. WHITWELL said, seeing that the condition of things is altered since the first Naval Votes were allowed by the House, he would beg to ask the First Lord, Whether he would feel him-

*Mr. Childers*

self bound by the statement made on Vote 11 of the Navy Estimates, that no expense would be incurred on the Chatham Extension Works beyond that provided in this year's Vote?

Mr. CHILDERS: Sir, I am much obliged to my hon. Friend for giving me Notice of his Question. In the debate on Vote 11 of the Navy Estimates I gave him a pledge that we would not spend on the Chatham Dockyard Extension Works more than was clearly provided in those Estimates. But the circumstances under which the House has voted us a large credit justify me, I think, in saying that I do not consider myself bound by that pledge; and I hope by about Christmas next to have finished the first basin, two docks, and the approaches from the workshops, and also to have dredged the river so that they may be available for our largest iron-clads.

#### NAVY—CASE OF SERJEANT JACOB HILL.—QUESTION.

SIR JAMES ELPHINSTONE said, he would beg, in the absence of his hon. Friend (Mr. Pemberton) to ask the Secretary to the Admiralty, Whether he will lay upon the Table of the House a Copy of the Correspondence relating to the trial by Court-Martial of Serjeant Jacob Hill, of the Marine Light Infantry; and whether the opinion of the Law Officers of the Crown has been taken on the legality of the sentence?

Mr. CHILDERS said, in reply, that Serjeant Jacob Hill, of the Marine Light Infantry, was charged, he believed, with procuring or assisting in the desertion of some men from a Regiment of Militia, was found guilty, and punished by reduction to the ranks. After the trial a solicitor wrote to the Admiralty on his behalf, raising some technical objections which the Admiralty were advised had nothing in them. He did not think that was a case in which Parliament would wish to have before it the correspondence on the subject. It would be quite contrary to all precedent; and he must, therefore, respectfully decline to lay the Papers on the Table.

#### PILOTING BELLIGERENT MEN-OF-WAR. QUESTION.

Mr. W. N. HODGSON: I wish, Sir, to ask the right hon. Gentleman the First Lord of the Treasury, Whether



representations have been made to Her Majesty's Government by the Prussian Ambassador complaining that English Pilots have been engaged in piloting French Men-of-War?

MR. GLADSTONE: Sir, whether a formal representation to the effect stated by the hon. Member has been made to the Foreign Office I am unable to say, although it is a matter that I could easily have ascertained before coming down to the House, had I had previous Notice of the hon. Member's Question. I, however, mentioned on a former day that the subject had been dealt with by Her Majesty's Government, and that specific directions had been given with reference to piloting belligerent vessels of war, to the effect that no English pilots were to give assistance to the ships of war of the belligerent Powers, except for the purpose of steering them out of or into a British port, or in case of distress.

#### STOCK OF COALS.

##### PERSONAL EXPLANATION.

SIR JOHN HAY: Sir, I desire to make a personal explanation, which I had intended doing on Friday last, but then deferred in consequence of the absence—I regret to say through ill-health—of the Secretary to the Admiralty. Being under the impression that Supply would not be taken until Thursday, I was, unfortunately, not in my place on Wednesday last, but on the following day my attention was called to a report of some observations of the Secretary to the Admiralty, occupying some 25 or 30 lines in *The Times* newspaper, which were devoted to impugning the accuracy of the statement I had made on a previous occasion to the House. Immediately on seeing that report I thought it right to give the hon. Member for Montrose notice that I should take an early opportunity of making the explanation I am now about to give the House. In reply to my communication I received the following letter from the hon. Gentleman:—

“Dundee, Aug 5.

“Dear Sir John Hay,—Your favour of yesterday has been sent to me here. I am not well, and unable to return to town, and you will please for that reason excuse me employing an amanuensis. I have not seen any report of what I said on Wednesday; but I did not impugn your accuracy. All that I said in regard to your quotations from the Coal Return was that you should

have read the last sentence of the note at the top of the page, and I went on to remark that as the statements of the small stocks on the last day of January, if unexplained, might cause apprehension in the country, I would state the stocks at present in these depôts, and the quantities shipped but not arrived. There was a good deal of talking in the House at the time, and it is quite possible the reporters did not catch my words; but I said nothing about you except what I have just stated, and of course you are at liberty to make what use you please of this letter.

“Believe me, truly yours,  
“W. E. BAXTER.”

The Return was a very long one, and I read only such portions of it as I believed bore out my statement respecting the great diminution that had occurred in our stocks of coal. I may observe that the Return does not show the specific number of tons of coal that were at sea and on their way to the respective depôts, but it was in the power of the hon. Member to have quoted any portions of it he thought fit. Another point upon which the hon. Member impugned my accuracy was with reference to the statement I made relating to the quantity of coal in Pembroke Dockyard. The statement I made was founded upon information given to me by the late storekeeper of that dockyard, from whom I have received the following letter:—

“3, Cranleigh Villas, Watford, July 29.

“Dear Sir John Hay,—I called a few days ago at the Admiralty, on Mr. Baxter, to offer him a suggestion, as I had been invited to do. Before I could enter on the subject Mr. Baxter informed me that he could hold no communication with me until I had written a letter to correct or to deny the accuracy of a statement made by you in the House of Commons, from information supplied by me, with reference to supplies of coals at Pembroke. I had not then seen, and until yesterday was unable to find *The Times* report of your speech, to which Mr. Baxter referred me, but, having seen it, I can find nothing to correct, and it appears to me that Mr. Baxter has drawn inferences which are not supported by what you said.

“I have the honour to be, dear Sir John Hay,

“Your most obedient servant,

“E. CHEVALLIER.

“Admiral Sir J. C. D. Hay, Bart, M.P., &c.”

I have read that letter with the view of showing that I accurately stated the nature of the information I had received, and which I believe to be correct.

MR. CHILDERS: Sir, I do not know whether the House will expect me, in the absence of the hon. Gentleman the Secretary to the Admiralty, to volunteer any explanation of the first part of the hon. and gallant Baronet's remarks, which relate to something that occurred

here the other evening. I think that the note of my hon. Friend, which has just been read, gives a very satisfactory explanation of that part of the subject. The hon. and gallant Baronet has, however, thought fit to import into his explanation something not relating in any way to what had been said by any person on this side of the House, but which referred to a statement he made some time ago, founded upon information he obtained from a gentleman who has no longer any relations with the Admiralty. What the hon. and gallant Baronet said upon the occasion to which he refers was this—that he had received information that a particular officer in Pembroke Dockyard had taken a particular course in the purchase of coal, and that that officer had been severely reprimanded by his superiors or had been complained of.

SIR JOHN HAY: If the right hon. Gentleman desires it, I will read what I then stated to the House. ["Order."] I merely wish to point out to the right hon. Gentleman that he is inaccurate in his version of the statement I then made.

MR. CHILDERS: I have only one word further to quote from the hon. and gallant Baronet's observations "and that he was superannuated."

SIR JOHN HAY: That is not what I stated.

MR. CHILDERS: Then I have nothing more to say in the matter. That, however, is what the hon. and gallant Baronet is reported to have said.

SIR JOHN HAY: I have *The Times* report in my hand. I will hand it to the right hon. Gentleman to read to the House. It certainly does not contain the words he professes to quote.

#### NEUTRALITY OF BELGIUM.

##### OBSERVATIONS.

MR. GLADSTONE: Sir, in view of the approaching Prorogation of Parliament, I am anxious to state at as early a period as possible that Her Majesty's Government are not in a position to lay further Papers upon the Table relating to the subject alluded to in the Question of the hon. Member for Wakefield (Mr. Somerset Beaumont). Knowing well the anxiety which the House must feel with reference to the course which the Government intend to follow, I will in a few sentences explain to them exactly

*Mr. Childers*

what we we have done and what we have endeavoured to do. In so doing I shall confine myself strictly to statements of fact, not mixing up with them anything in the nature of explanation or defence, if, indeed, defence be requisite, but will allow such explanation or defence to stand over until the proper opportunity for making it shall arrive. On Saturday, the 30th of July, the Government made a proposal to France and Prussia severally in identical terms, and that proposal was that an engagement should be contracted by this country with each of them, whether under the name of a Treaty or whatever other designation might be given to the agreement, to this effect—that if the armies of either one of the belligerents should, in the course of the operations of the war, violate the neutrality of Belgium, as secured by the terms of the Treaty of 1839, this country should co-operate with the other belligerent in defence of that neutrality by arms. It was signified in the document so transmitted that Great Britain would not by that engagement, or by acting upon that engagement in case of need, be bound to take part in the general operations of the war. And, of course, the other contracting party was to enter into a similar undertaking to use force for the preservation of the neutrality of Belgium against the offending Power. We proposed that the Treaty or engagement—for it has now taken the form of a Treaty—should hold good for 12 months after the ratification of a Treaty of Peace between the two belligerent Powers, after which period it is stipulated that the respective parties being parties to the Treaty of 1839 shall fall back upon the obligations they took upon themselves under that Treaty. Briefly stated and divested of all technical language, that, I think, is the whole of the contents of the proposed Treaty. On the same day—last Saturday week—and two days before the discussion which occurred in this House in connection with foreign affairs, the whole proposal was made known by the British Government to the Austrian and the Russian Governments, and confidence was expressed that, under the extreme pressure that existed as to time, those Powers would not hesitate to adopt a similar measure. That is the course Her Majesty's Government have followed in the matter. Now as to the



reception of this proposal by the other Powers. As far as we have been informed the Governments of both Austria and Russia take a favourable view of the proposal. I will not say that the negotiation has proceeded so far as to entitle us to regard them as held bound to a particular course; but, in the main, I may say that the reception of our proposal has been favourable by both of those Powers. And now, with regard to the two belligerent Powers. The proposal having been sent to Lord Augustus Loftus on the 30th ult., on Friday the 5th inst., Count Bernstorff informed Earl Granville that Count Bismarck had left Berlin for head-quarters, and that, consequently, the communication with him through Lord Augustus Loftus had been delayed. The terms of the proposed Treaty, however, having been communicated on the same day—Saturday week—to the respective Ambassadors in London, Count Bernstorff had telegraphed their substance to Count Bismarck, who had informed him that he had not then received any proposal from Lord Augustus Loftus, that he was ready to agree to any engagement that would tend to the maintenance of the neutrality of Belgium; but that, as the intended instrument was not before him, he could only give a general assent to its purport, and must not be regarded as bound to any particular mode of proceeding intended to secure that neutrality. Count Bernstorff subsequently informed Earl Granville on the same day, on the 5th of August, that he had received a later telegram from Count Bismarck to the effect that he had then received a summary of the draft Treaty from him, that he had submitted it to the King of Prussia, and that he was authorized to state that His Majesty had agreed to the plan. Later still on the same day Count Bernstorff informed Earl Granville that Count Bismarck again telegraphed to him stating that he had seen the actual document, and authorizing him to sign the Treaty. Count Bernstorff has not yet—at least, had not when I came down to the House—received his full powers in the technical sense, but he expects to receive them in the course of the day, and therefore I think that the engagement may be regarded as being completed on the part of Prussia. Now as regards France. That country has accepted the principle of the Treaty, but

the French Government were desirous to introduce some modifications into the terms of the instrument that were not of a nature, as we thought, in any degree to interfere with the substance of the clauses. The House will perceive that as we had made an identical proposal to the two Powers, it was impossible for us to undertake to alter the body of the instrument, for fear the whole arrangements might come to nothing, although the sole object of the modifications so proposed was to prevent misunderstanding. We had no difficulty in giving such an explanation as we thought amounted to no more than a simple and clear interpretation of the document. That explanation was sent to Paris on Saturday evening. Perhaps the pressure of affairs in Paris may naturally account for the fact that an answer did not arrive by return of post in a regular manner this morning; but we have reason to believe that this explanation will remove all difficulty on the part of the French Government and will lead to the signing of the Treaty. Possibly, therefore, even before the termination of the present Sitting it will be in our power to make a further communication to the House. In the meantime I shall be glad to answer any question, if my statement has not been sufficiently clear; but, as I said before, I should wish to refrain from saying more than is absolutely necessary on the present occasion, and I hope the House will not enter into any general discussion upon the subject.

MR. DISRAELI: Sir, I do not know whether I shall be required to put myself regular in accordance with the forms of the House; but, perhaps, under the remarkable circumstances of the moment, and considering the statement we have just heard from the right hon. Gentleman, I may be allowed to say a few words in reference to the important matter which he has brought under our notice. I do not know what opportunity we may have of learning the progress of the negotiations to which the right hon. Gentleman has referred before the Prorogation of Parliament. If the House meets to-morrow, of course we may have that opportunity; but I do not know whether the state of Business may cause us to meet to-morrow. Now, as to the proposed Treaty, it is necessarily difficult to gather from an oral statement the meaning of a diplomatic document; but I infer from the

statement of the right hon. Gentleman that Her Majesty's Government have taken decided steps to maintain and defend the neutrality of Belgium. That will be a satisfactory intimation to the country generally. I would not myself at this moment give any opinion as to the particular diplomatic course followed by the Government on this occasion. That is really too grave a question to be decided in an off-hand manner in the course of a conversation like this; but as a general proposition, where there is a Treaty guarantee so explicit as that expressed in the Treaty of 1839, I think the wisdom of founding on that another Treaty which involves us in engagements may be open to doubt. I do not at present understand, if we join with one of the belligerents to vindicate the neutrality of Belgium against the other belligerent in case he violates that neutrality, what limit there is to be to our interference; because it would appear to me that in such a case we should have to share the fortunes of war with the belligerent whom we have joined, and it is quite impossible to see how we could limit our co-operation with that belligerent merely to the frontier of the neutralized country. But this is one of the points on which, owing to the manner in which the proposal of the Government has been communicated to us by the right hon. Gentleman, it is difficult to form an opinion; but I may venture to express a hope that during the brief period of existence now allotted to this Session the Government should omit no opportunity of giving this House and the country the fullest account of this new engagement they may have entered into, and the latest information on these matters they may have obtained. Now, Sir, accepting the declaration of the right hon. Gentleman as the declaration of the Cabinet, that they are resolved to maintain the neutrality and independence of Belgium, I accept it as a wise and spirited policy, and a policy, in my opinion, not the less wise because it is spirited. I cannot myself believe the position of England is such that she can no longer take an interest in the affairs of the Continent of Europe, or attempt to exercise that influence which has been so often exercised not only with advantage to this country, but with great benefit to the Continent itself. The policy of England ought certainly not to be a merely European

policy. She has an ocean empire, and an Asiatic empire. But she has a great interest in the prosperity, the peace, and the independence of the various States of Europe. Viewing it from a very limited point of view, it is of the highest importance to this country that the whole coast from Ostend to the North Sea should be in the possession of free and flourishing communities, from whose ambition the liberty and independence neither of England nor of any other country can be menaced. We find that part of Europe at present constituted in such a manner, and it is well such a position of affairs should be maintained. The circumstances under which that state of society was injuriously menaced some years ago, though the distribution of territory which then took place has been in some degree diminished, has, I think, led to many of those complications which have so distressed and alarmed us. I make no comments on the startling events which are now occurring. I have never spoken of them in this House with any prejudice. I wish we may maintain the friendship and alliance both of France and Prussia. I am of opinion that the events now occurring afford an opportunity to a Power like England of coming forward with a friendship which cannot be doubted, to give counsels of moderation in such a manner as will show that, while anxious for the peace of Europe, she respects the dignity and national feelings of both belligerents.

MR. GLADSTONE: Sir, I think that the House will allow me to say a few words in answer to what I may call the Question of the right hon. Gentleman opposite (Mr. Disraeli), and that in my case, as in that of the right hon. Gentleman, it will not be necessary to make a Motion. I admit with the right hon. Gentleman that it is impossible for him or any other Gentleman to give any opinion on the subject of my statement except with reserve, because in such cases listening to an oral statement is very different from reading the document itself. But I hope I am not over-estimating the length to which the right hon. Gentleman goes in his judgment when I say I am glad he is disposed to view in a favourable manner what he seems to consider a wise policy. At the same time I wish now to say that the reason we restrained our own wish and the wish of the House last Monday by



not making any general declaration on our part as regards Belgium was that we thought much danger might arise from such a declaration, that we might inadvertently give utterance to words that might be held to import obligations almost unlimited and almost irrespectively of circumstances. We had made up our minds that we had a duty to perform, and we thought that a specific declaration of what we thought to be the obligations of this country, founded upon the various considerations applicable to the case, would be much more satisfactory than any general declaration. It is by this instrument we ourselves desire that our view of the obligations of this country should be defined rather than by any vague expressions which might be used in reference to those obligations. The right hon. Gentleman said that as a general rule he would rather trust to Treaties which at present exist than cumulate them by other engagements. That observation reminded me that I might have pointed out more clearly what we thought was the necessity for this proposed Treaty. When the war broke out, we naturally looked to the declaration of the belligerents as to the neutrality of Belgium, and we were obliged to admit, as I think the House must have admitted, that those declarations contained everything that could reasonably have been expected from each Power speaking singly for itself; but, notwithstanding that, there was this weakness about them. In the event of the violation of the neutrality of Belgium by Prussia, France held herself released, and in the event of the violation of neutrality by France, Prussia held herself released. I think we had no right to complain of either Power. I think they said everything they could have been expected to say; but we thought that by contracting a joint engagement we might remove the difficulty and prevent Belgium from being sacrificed, and render it extremely unlikely that anything would arise to compromise our neutrality. That was our reason for thinking a Treaty of this kind necessary, because it is obvious that the Treaty of 1839, whatever value it may possess, could hardly be supposed to meet the circumstances of the present case with reference to the declarations made by the belligerent Powers. With regard to further opportunities for informing

the House of our proceedings, I believe, and I may consider it as arranged, that the House will meet to-morrow and on Wednesday; and, certainly, it will be our desire not less than our duty to communicate to the House the substance of everything which we may propose to undertake in the defence of the honour and the fulfilment of the obligations of this country.

## CENSUS BILL.

## LORDS' AMENDMENTS.

Lords' Amendments *considered*.

MR. BRUCE said, he had to move that the House disagree from the Lords' Amendment.

First Amendment, page 2, line 14, after the word "condition" insert the words "religious profession," read a second time.

Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment."

The House *divided*:—Ayes 101; Noes 40: Majority 61.

MR. MACFIE said, he must express his great regret that, in some form, a religious Census of the people was not to be obtained. Very strong representations on the subject had reached him.

Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to the said Amendments:—Mr. Secretary BRUCE, Mr. GLADSTONE, Mr. CHANCELLOR of the EXCHEQUER, Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, Mr. KNATCHBULL-HUGESSEN, Mr. STANSFELD, Mr. DODSON, Mr. GLYN, and Mr. ADAM:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to The Lords Amendments *reported, and agreed to*.

To be communicated to The Lords.

## JUDICIAL COMMITTEE BILL—[BILL 249.]

## (Lords.) COMMITTEE.

Order for Committee read.

MR. BRUCE, in moving, That Mr. Speaker do now leave the Chair, said, that it had been arranged that the Motion to be proposed by an hon. Member for the rejection of this Bill should be considered at this stage, instead of on the second reading. The House was aware that this was one of three important measures introduced by the Government in reference to the constitution of legal tribunals. Two of these Bills had been withdrawn, but a similar course had not been pursued with re-

spect to this Bill, notwithstanding the near approach of the termination of the Session, because of the urgent necessity which existed for strengthening the Judicial Committee of the Privy Council. The business of the Judicial Committee consisted mainly of appeals from India and the Colonies, and also included certain important appeals from the Ecclesiastical and Admiralty Courts. At this moment there were no fewer than 257 appeals unheard from the High Court of Judicature in Calcutta alone, not to mention those from the other Presidencies of India and the Colonies. From the High Court of Judicature in Calcutta no appeal had been heard which had not been filed before 1866. When the House considered the enormous loss and injury to suitors which must arise from such a state of things, the necessity for an immediate remedy would become apparent. The evil, he thought, lay in the voluntary character of the arrangements with regard to the Court. Under the Act 3 & 4 Will. IV. it consisted of the Lord President for the time being, the Lord Chancellor, all the ex-Chancellors, the Judges of the Superior Courts at Westminster, the Chief Judge of the Court of Admiralty, the Chief Judge of the Court of Probate, the two Lords Justices, and the Master of the Rolls. A certain number of persons, who had at some previous time held those offices, might also sit in the Committee on being made Privy Councillors. There were at present 11 of them. Under the 3 & 4 Will. IV., Her Majesty had power to name also as Judges two other persons who were not included in the above denominations, and under that authority some of the most eminent persons who had taken an important part in the administration of the appellate jurisdiction had been appointed. In proof of this statement he need only allude to the services of the late Lord Kingsdown, to Sir James Colville, and to Sir Joseph Napier. Amongst retired Judges who had taken part in the business of the Committee he might mention Mr. Justice Patteson, Sir John Taylor Coleridge, and Sir Vaughan Williams. The Judges had undoubtedly been very assiduous in their attendance, but there had been much difficulty in securing the continuous session of the Court. Of course, there might be a question whe-

ther a Court of Appeal should not be created in India, or whether the number of cases might not be diminished by raising the limit beyond £1,000, the present lowest amount which could be the subject of appeal; but the immediate question was how the Court itself could be strengthened, so as to secure an attendance *de die in diem* of competent persons. The Bill proposed, in the first place, that persons who had filled the office of Chief Judge in any of the principal Courts in India, and persons who had filled the office of Legal Member of the Council of the Governor General of India, might receive, in addition to their pensions, a salary of £1,000 a year, so as to give the country a claim upon their continuous services on the Judicial Committee. It was also proposed that any person who was a member of the Judicial Committee, other than those who had filled the judicial offices already mentioned, might receive a sum not exceeding £500 a year out of the Consolidated Fund, the object being that Judges who might retire in the vigour of their intellect and their powers might receive an adequate remuneration for converting a position of dignified leisure into one of full activity. Objection might, perhaps, be raised at first sight to the smallness of the sum named; but the intention was to place those Judges, as far as remuneration was concerned, exactly upon the same footing that they were at present. The salary of a Judge who was not a Chief Justice was £5,000 a year, in fixing which salary the expenses of circuit, about £500 a year, had been taken into account. The retiring pension, therefore, of a Judge who had served for 15 years being £3,500, an additional £500 a year would place him, as far as remuneration was concerned, nearly in the same position which he at present occupied. By a further clause of the Bill it had been proposed to take power to appoint any barrister of 15 years' standing, who should also be a Privy Councillor, and that persons so appointed should have conferred upon them a salary of £2,500 a year. To this clause he was aware that very general objection was taken among members of the legal profession. On the other hand, there was much to be said in support of the proposal. Some of the most eminent Judges who had ever adorned the Bench, and some who still adorned



it, had never been in receipt of a professional income of £2,500 a year. It would be invidious, perhaps, to name them; but members of the legal profession were well aware that there were many such cases. ["No, no!"] One of the most able Judges now upon the Bench was appointed by a late Lord Chancellor, and objection was taken to him on account of the extreme smallness of the income which he had been known to make when at the Bar. He believed he was very much within the truth when he stated that that learned Judge never, during the time when he was at the Bar, made a salary equal to £2,500 a year. The objection taken to his appointment was exclusively on the ground of the smallness of his professional income, although he was known to be a very able and judicious advocate. He might also appeal to his hon. and learned Friends connected with the Chancery Bar whether it was not notorious that the late Lord Cranworth, until he became Solicitor General, never made £2,500 a year. Yet, when he was appointed Baron of the Exchequer, he made an excellent Common Law Judge. He became successively Lord Justice and Lord Chancellor, and nobody could doubt his judicial capacity. It was unnecessary, however, to discuss the subject further, for the Government, knowing the opposition that was raised by members of the legal profession, did not intend to press this clause. Bearing also in mind that, owing to the period of the Session, there was not time for a full consideration of the subject, they proposed that the duration of the Bill should be limited to one year. Next year the constitution of the Judicial Committee must necessarily be considered in connection with the High Court of Judicature Bill and the Court of Appeal Bill, which had been dropped during the present Session; and if any circumstances should arise next year to prevent the Government from giving effect to their intentions with regard to these Bills, it would be quite possible to give to the Act of this year a more extended operation. There was a clause, not included in the present Bill, which, he thought, might well be added. It was known that there were Judges who, from considerations affecting their health or other circumstances, would gladly retire before the expiration of the period

at which they could claim their full pensions—Judges of great judicial experience, great knowledge and learning, still equal to some continuous work, but not equal to the strain of being obliged to travel on circuit, as well as to attend the Courts of Law and Equity in London. To meet such cases it would be necessary to introduce a clause, of which he had not yet given Notice, enabling a Judge, after 10 years' service, to resign on his full pension, upon the understanding that during the remainder of the period of his 15 years' service the country would have a claim upon his exertions as a member of the Judicial Committee. There would be thus, under the proposals of the Government, three classes of Judges whose services would be secured. First of all, there would be those—of whom at this moment we had an eminent example, in fact, more than one example, in this country—men who had served the office of Chief Justice of one of the three principal Courts in India; next, there would be those who had acted as the Legal Members of the Council in India, and he knew that men of very distinguished legal abilities had filled that office. There would be next the Judges who had retired, and who, for an additional payment of £500 a year, would give the country a claim upon their continuous services. And, finally, there would be Judges who had served 10 years, and who, in consideration of being allowed to retire on the full pension, would undertake the less arduous but still responsible duties of the Judicial Committee. The Government were aware of the difficulties attendant on bringing forward so important a Bill at this late period of the Session, but the pressing nature of the subject itself and the accumulation of arrears rendered some legislation on the subject necessary. The Government had endeavoured to anticipate objections by removing the clause which had excited most adverse criticism. He, therefore, hoped the House would proceed with the Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Secretary Bruce.*)

MR. WATKIN WILLIAMS, who had given Notice of Motion for the commitment of the Bill on that day three months, said, that the ground of his objection to

the measure was that the effect of it would be to reduce the highest appellate tribunal in the world to the condition of a second or third-rate Court. He did not attempt to dispute the inconvenience arising from the accumulation of arrears before the Judicial Committee, or that there was a very great "blockup" of business. Stated shortly, the remedy proposed by the Government consisted of two parts; the first—the introduction of paid Judges and of regular and continuous sittings; and the second—the reduction of the quorum of the Judges from four to three, and the giving power to the Committee to sit in two divisions for the despatch of business. Now, what were the duties of that great tribunal, which, almost upon the last day of the Session, it was proposed to remodel? Their jurisdiction was to advise Her Majesty upon the appeals presented to her from every Colony and every dependency of the British Crown over the whole world, involving every conceivable question that could arise between subject and subject, or between the subject and the Crown; important questions of criminal and constitutional law, of commercial and maritime law; questions, also, of International and prize law, and intricate questions of the conflict of laws. Cases from the remotest corners of the world—from British Columbia, Canada, the Cape, Natal, the Mauritius, Ceylon, India, Australia, and New Zealand, and even from China—came before the Judicial Committee of the Privy Council. Nor was this all, for to this infinite variety of questions was to be added the great variety in the laws to be applied—English law, Roman Dutch law, French law, Hindu law, English law as modified by the colonial statutes, and a variety of others. Notwithstanding these great difficulties, the Judicial Committee, during nearly 40 years, had exercised its functions not only to the satisfaction of the suitors, but had so advised the Crown in its actions as to place the Committee in the very foremost rank as an appellate tribunal. Its advice and reports were held both in America and France, as well as in England, as judgments of the highest legal authority; and he ventured to say that there was no Appellate Court in the world—none certainly in England—that could for one moment stand side by side as regarded reputation with that great Court. There was no pretence for

saying that the House of Lords could be compared with the Judicial Committee in that respect; perhaps one reason was that the Judicial Committee gave their advice to the Crown upon grounds of plain justice and common sense unfettered by technicalities. He, therefore, asked the House to pause before, at the fag-end of a Session, they ran the risk of reducing the Judicial Committee from the position it had gained to that of a third-rate tribunal. Let him remind the House what was the present constitution of this High Court. Before 1833, all appeals to the Crown were referred to the Privy Council at large. That was found to be unsatisfactory, and by the 3 & 4 *Will. IV.* c. 41, the Judicial Committee of the Privy Council was constituted, and under that Act consisted of the Lord President of the Council, the Lord Chancellor, and the following, being Privy Councillors—namely, the Chief Justices, Chief Baron, and Judges and Barons of the Courts of Queen's Bench, Common Pleas, and Exchequer, Master of the Rolls, Vice Chancellor of England, Judges of the Admiralty Court and of the Prerogative Court of Canterbury, Ex-Presidents, Ex-Chancellors, and those who have filled any of the above offices, and any two others selected by the Crown, and to these have also to be added, under 14 & 15 *Vict.* c. 83, the Lords Justices of Appeal. All had been picked men of the very highest attainments. These men had performed the duties gratuitously. He was prepared to admit that gratuitous services were open to objection; but, nevertheless, those learned Judges had brought this tribunal into a position of which Englishmen in every part of the world might be proud. The objection he had to this Bill was, that it would deprive the State of the services of these men. It was made a matter of money, and at the same time the value set upon the services of the Judges was only £2,500 a year, one-half the salary of a Vice Chancellor or a Puisne Judge; and the result would be that men who had thought it the highest honour to be chosen members of the Judicial Committee would no longer accept the office. Men of the greatest attainments looked to this position as the highest distinction that could be conferred upon them in recognition of public services, great learning, and proved judicial qualifications.



But, by making it a question of money, the whole system was altered, and the existing attraction done away with. The present proposition was, that there should be four paid Judges; that the sum to be given should not exceed in all £5,000 a year; that the Judicial Committee should sit in two divisions; and that the salaried Judges should be bound to attend and render a *quid pro quo*.

MR. BRUCE said, this proposition as to £5,000 a year referred to an entirely different state of things—namely, that this sum should go to one paid barrister at £2,500, and to the increase of the salaries of other persons. It was impossible that any of the persons so paid should have only half as much as a retired Puisne Judge; inasmuch as the retired Judge would have his pension of £3,500, and this, with the addition of £500, would make his position as good as before, taking into account the expenses of circuit.

MR. WATKIN WILLIAMS said, the right hon. Gentleman was entirely inaccurate; a Puisne Judge had £5,000 a year, and his point was, that the employment of a paid Judge at a salary of £2,500 marked that as the value of his services. But if the Bill had been so materially changed at the last moment, that was an argument against going on with so important a measure at the fag-end of the Session. He appealed to the Law Officers of the Crown whether the proposed alteration of the constitution of that great tribunal, to that of a tribunal made up of paid Judges with inferior salaries, sitting regularly and continuously with only three members, would not tend to its degradation and ruin as a final Court of Appeal? There was something which, even to lawyers, was more than money, and that was the honourable recognition of the legal ability, learning, and judicial qualifications requisite for the highest appellate tribunal. He entirely objected, as a rule, to appointing men to the highest Court of Appeal who had not proved by service on the Bench that they possessed temper, judgment, discretion, patience, and those judicial qualities which could only be tested by actual experience. Again, although that Bill was intended by its authors to make the sittings of the Judicial Committee more regular and of longer duration than at present, the effect of Clause 7 would positively be to re-

duce them, as the legal "vacation" time, which was to be excluded from the regular sittings, comprised 274 out of the 365 days of the year, leaving only three months for these sittings. That, of course, was not the object of its framers; but this fact showed how imperfectly and loosely the Bill had been drawn, and the House ought not at the fag-end of the Session to be called upon to pass it. Moreover, when the reconstruction of the whole of our judicial system was undergoing consideration, the constitution of that great appellate tribunal might well be allowed to form part of that scheme. The hon. and learned Member concluded by moving, as an Amendment, that the House should go into Committee on the Bill that day three months.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Watkin Williams*,)—instead thereof.

MR. HENLEY said, that after the statement made by the Secretary of State for the Home Department it was impossible not to feel that a very heavy responsibility rested on the Government for suffering such a state of things to grow up as he had detailed to the House, because there was no doubt that to a certain class of Her Majesty's subjects it was almost a denial of justice when appeals were postponed from time to time, as had been the case in that great tribunal. But that was not the only question they had to consider. Was it, he asked, on the balance of convenience and inconvenience better to adopt a bad remedy which was to go on only for a few months, or to wait for another before dealing with the matter? The addition they now proposed to the Judicial Committee was not equal to the elements of which it was now composed. Questions of International Law came before that tribunal, and it also decided on religious questions. It might be said these new Judges would not decide those great questions; but if that were so, was it just to the millions of our fellow-subjects in our Colonies and in India, who came to the Sovereign of this country for justice, to create a tribunal inferior to that which determined those grave matters among ourselves? It was indecent for

the Government to press that measure within two or three days of the end of the Session, when to discuss it was a simple impossibility; and while they were attempting to correct the evil of a great arrear of appeals they might create an evil a thousand times greater by destroying the character of that tribunal. A number of appeals might be settled, but they might not be settled upon sound grounds, and more harm would be done to all parties concerned than could result from letting the question stand over till the beginning of next Session, when the Government might consider and bring in a measure which they themselves believed would be permanent. By limiting the operation of that Bill to a year, the Government showed that they had but little confidence in what they were doing. He did not pretend to go into the question itself; but he must express his deep regret that three days before the end of the Session, when there was no chance of the Bill being properly discussed, there should be an attempt to carry the measure through by the mere force which the Government had at their command. He believed it to be a hasty and ill-considered measure, and if the hon. Gentleman (Mr. Watkin Williams) went to a Division he would vote against it.

MR. JAMES said, he thought that everyone must feel sympathy with the efforts of the Government to do all they could to remedy what must be admitted to be a very great scandal, and he admitted that the Secretary of State for the Home Department had gone far to disarm opposition by the withdrawal of the 3rd clause. He could not, however, understand how this Bill could be considered a temporary measure. His great objection to it was that the very Judge from whose decision those Indian appeals were made was actually to review and determine the wisdom of his own decisions. It appeared to him to be far better to delay the enactment of a measure on this subject for a few months longer than to pass the present Bill hastily at the end of the Session. The real remedy for the evils complained of was not to be found in this patchwork attempt at legislation. With the greatest respect to Mr. Maine, a gentleman whose great learning was admitted, he could not think that the proposal to put among the Judges of the Judicial Committee a

gentleman who had had no judicial experience was at all a satisfactory one. It was to be apprehended that the economical scheme of inducing retiring Judges to accept of seats in the Judicial Committee would lead to men of failing health and very advanced years becoming members of that tribunal. He held that either by high payment or honourable distinction the services of the best men ought to be secured for the Judicial Committee.

COLONEL SYKES said, he approved of the Bill on the ground that the continual postponement of cases brought before the Court was a practical denial of justice, and if the measure were put off till next Session there would be an enormous accumulation of appeals from India. When men were paid for the discharge of a duty those who employed them had a right to exact the performance of that duty. The House had no power to appropriate the Revenues of India to paying the salaries of the two Indian Judges whom it was proposed to appoint.

MR. KINNAIRD said, he thought that unless the Government could answer satisfactorily the objection against appointing a gentleman to a Judgeship under the Bill, from whose decisions in India those appeals were made, it was only reasonable that they should assent to a postponement of any legislation on the subject until next Session.

THE CHANCELLOR OF THE EXCHEQUER said, the fallacy which appeared to pervade this discussion was that because a great many objections could be urged against this measure it ought not to be carried. But against a great number of things that ought to be done it was possible to urge objections, and this was one of those things. The evil this measure proposed to remedy was admitted on all hands. It was a very great and a growing one. The evil of large arrears of cases in an Appeal Court was much greater than that of arrears in any other Court, because in the latter case the inconvenience was simply one of delay, whereas in the former the longer the hearing was deferred the more appeals there would be. They would, in fact, increase in a geometrical ratio. When once appeals got into arrear the temptation to parties to appeal for the purposes of delay would be irresistible, especially in a country like India, where the interest of money was



something like 10 per cent. Well, but how did hon. Members propose to remedy the evil which they admitted to exist? Simply by doing nothing at all. [*Cries of "No, no!"*] Yes, they objected to any legislation that Session, asking the Government to wait until February next, when, from Calcutta alone, there would probably be about 100 more appeals added to the list, already inconveniently long. They were called upon now by a great emergency to do something to vindicate their character for justice and business habits. Though the Bill was only for one year, what would be done under it would be permanent. Persons holding the most dignified judicial positions would constitute the new proposed Court. At present the appointments were in the absolute discretion of the Crown. Those appointed need not even be barristers, for the Crown might appoint two Bishops if it pleased. What new materials would they have at their command next year to assist them in their legislation upon this question, beyond what they had at present? The Bill would compel the attendance of those Judges, who, in consequence, must be paid for their specific services. It was of the highest importance that one of the Judges, at all events, should be well versed in Mahomedan law in consequence of the vast number of Indian appeals that came before the Court. The Crown had therefore advised the appointment of Sir James Colville, an ex-Judge of the Supreme Court of India. It was ridiculous to suppose that all the judgments had been given in India by one Judge. Hon. Gentlemen who argued that it would be improper to appoint a Judge who had a knowledge of Indian Courts of Law from his having administered justice there, seemed to give very little weight to the acumen which would be brought to bear upon the cases by the learned Judges with whom he would be associated. On these grounds he hoped that the House would assent to going into Committee on this Bill.

MR. VERNON HARCOURT said, the question was not whether the evil existed; that was admitted; but whether the remedy proposed was a fit and proper one. Neither in the House nor out of it had they been able to find a single member of the legal profession who could say a good word for this Bill. The Bill

went to degrade one of the greatest Courts in the country. It would patch up a bad system, and prevent their dealing as they ought to do with the question of the appellate jurisdiction. The proper course to take was to do away with the duplicate authority of an appellate jurisdiction, by the establishment of a Court of Cassation, which would command the highest judicial and professional ability to be had in this country. The evil of waiting for six months for a real and proper remedy for a great and crying evil would be far less disadvantageous than that of passing a measure which anticipated what ought to be done in the future, and placed a serious obstacle in the way of a great and necessary reform. He should therefore vote against the Bill.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 64; Noes 45: Majority 19.

Main Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

Bill considered in Committee.

(In the Committee.)

On Question, "That the Preamble be postponed,"

MR. WATKIN WILLIAMS moved that the Chairman do now leave the Chair.

MR. BRUCE said, he hoped his hon. Friend would not pursue that course. It was not in accordance with the usual practice. He had made his statement, and the sense of the House had been fairly taken on the question.

MR. WATKIN WILLIAMS said, he thought that the course he had taken was entirely in accordance with the practice of the House. But it was contrary to practice to press a measure of this immense magnitude at the fag-end of a Session, and he was prepared to avail himself of all the forms of the House in order to frustrate it. He denied that the sense of the House had been fairly taken. If those Members who had been brought into the House in order to hear the Question put, and who had voted for the Bill, had heard the previous discussion, he believed many of them would have voted against the Bill.

MR. G. B. GREGORY said, he thought the House ought to hear the opinion of the Law Officers of the Crown relative to this Bill.

Question put, "That the Preamble be postponed."

The Committee divided :—Ayes 39 ; Noes 63 : Majority 24.

Preamble agreed to.

Clause 1 agreed to.

Clause 2 (Power of Her Majesty to appoint two retired Indian Judges as salaried members of the Judicial Committee).

MR. BRUCE proposed an Amendment to the effect that the annual payment of £1,000 to be made to each of the two members of the Judicial Committee should come out of the Revenues of India.

Amendment proposed,

At the end of the Clause, to add the words "There shall be paid out of the revenues of India to any person appointed a member of the Judicial Committee in pursuance of this section, during the time that he serves as a member of such committee, an annual payment not exceeding one thousand pounds, in addition to any pension he may be entitled to in respect of his services in India."—(*Mr. Secretary Bruce.*)

COLONEL SYKES said, the Amendment of the Secretary of State was in direct violation of the Act for the better government of India, of August, 1858. When the Act was under discussion, in which he (Colonel Sykes) took an active part, very strong opinions were expressed of the inexpediency and even danger of permitting the House of Commons to control or dispose of the finances of India, as an unscrupulous Minister might apply them to political purposes; and the result was the unanimous adoption of the following clause in the Act, under the head of Revenue :—

"The expenditure of the Revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of such Revenues or any other property coming into the possession of the Secretary of State in Council by virtue of this Act shall be made without the concurrence of a majority of Members of the Council present at a meeting."

It was evident, therefore, the Amendment could not be legally moved. He must consequently move that the following words be added to the Amendment :

*Mr. Watkin Williams*

—"With the consent of the Secretary of State for India in Council."

Amendment proposed to the said proposed Amendment, adding, after the word "India," the words "with the consent of the Secretary of State for India in Council."—(*Colonel Sykes.*)

MR. LOCKE said, he did not understand why there should be an "annual payment" if the Bill was intended, according to the explanation of his right hon. Friend (Mr. Bruce), as an experiment for only one year.

COLONEL SYKES said, he might explain that it was only the Indian Council who could deal with the Revenues of that country.

MR. BRUCE said he thought the words would be unnecessary, for this Act would of itself be sufficient authority for the payment being made.

MR. JAMES said, he objected to the Revenue of India being applied to the payment of the salaries of Judges who were to hear cases other than Indian ones—colonial appeals, patent cases, ecclesiastical appeals, &c. India had to bear the whole cost of her Government and whatever other expenses England imposed upon her. When suitors from India appeared before the Privy Council they had to pay large fees, which ought to be sufficient to provide for the salaries of the Judges who heard their cases. Money ought not to be taken from India to maintain an English Court.

MR. BRUCE said, there would probably be 20 members of the Judicial Committee. It was only proposed to pay out of the Indian Revenue those two members of the Judicial Committee who gave special attention to Indian matters, but Indian suitors would also have the services of all the other Judges, who were paid out of the Imperial Exchequer. Nothing could be fairer towards the people of India than this payment of £2,000 when the advantages to them of the existence of this Court were taken into account.

MR. R. N. FOWLER said, he was sorry to hear that the Government intended to press this proposal for saddling the finances of India with the payment of a paltry sum of £2,000 a year.

MR. FAWCETT said, he had never listened to a more unsatisfactory answer than that given by his right hon. Friend



(Mr. Bruce). He begged to ask this question, on which his vote would depend—Would the Government say that it was fair and right for the Colonies also to pay their share of the expenses of this Court? and, if not, why should a distinction be made to the disadvantage of India? This was another melancholy instance of the proposals made in the House of Commons at the expense of the people of India, who had no power to protect themselves.

COLONEL SYKES insisted that the British Parliament had a right to appropriate the finances of India to any purpose they chose.

MR. VERNON HARCOURT said, it was a proceeding utterly unexampled for a Government to press forward a measure of Law Reform which they could not get their own Law Officers to support. The Attorney General and Solicitor General had been distinctly challenged to rise in their places and support the Bill; but, like honest men, they had left the House.

MR. EASTWICK said, he feared it would make a bad impression in India when the people there learnt that a clause so vitally affecting them had been settled in the very last days of the Session.

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Member for Brighton (Mr. Fawcett) was doubtless aware that we could not tax the Colonies, that being one of the fruits of the American War. But if the hon. Member contended that, as a matter of justice, a Colony ought not to contribute to the expenses of a tribunal existing mainly, or to a very great degree, for the convenience of the people of that Colony, he must join issue with him. If the Colonies took up so much of the time of the tribunal as India would do they certainly ought to assist in maintaining it. Hon. Gentlemen talked of the people of India, but they forgot the people of England. On what ground of fairness were the taxpayers of this country to be saddled with the cost of the very best tribunal which could be provided for doing justice—not between the people of this country, but between the ryots of India? No doubt an Act of Parliament had been passed directing that the Revenues of India should be appropriated to the Secretary of State in Council for India, but the House of Commons at its pleasure could alter

that Act or could substitute another enactment.

MR. JAMES said, he must distinctly assert that this Court would not be maintained by the taxpayers of England, but by the fees paid by the Indian suitors and others. The Chancellor of the Exchequer would actually be in receipt of the fees from those suitors, and yet wished to make the Indian people pay this £2,000 twice over.

COLONEL SYKES said, that if the argument of the Chancellor of the Exchequer was good for anything it meant that the House of Commons might appropriate the Revenues of India to political objects, the very thing which the Act of Parliament had been passed to prevent. He must accordingly press his Amendment.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 36; Noes 48: Majority 12.

MR. BRUCE said, he wished to state that he should be prepared to move an Amendment limiting the duration of the Bill to a year. He assumed that the Court of Appeal would not exclude men who had held high judicial appointments—men who were of the stuff of which the Judicial Committee should be made.

MR. LOCKE said, that probably the Court of Appeal would not exclude them, but the question was would the public pay them. He must point out that though the Bill should only exist for one year the offices created under it would be permanent, and the officers filling them would have to be paid their salaries year after year.

MR. WATKIN WILLIAMS said, that the proposal to make this Bill endure only for a year would at first sight lead people to suppose that the appointments would be only for a year. But when once appointed these Judges would be permanent, and therefore the objections to the Bill continued in all their force. It was unjust and impolitic that this country should tax the people of India for advising Her Majesty as to the decisions that should be given in cases of appeal.

MR. VERNON HARCOURT said, there was a great precedent for this transaction. The British Empire desired to do honour to the Sultan of

Turkey and gave a grand ball on that account. But the British Empire was too poor to pay for it out of its own pocket, and therefore made the people of India pay for it. That was the precedent Her Majesty's Government desired to follow. The time had not arrived when we could pay for our own magnificence, and therefore we must put our hands into other people's pockets. The Government ought to get some lawyer to support them. The Lord Advocate had retired; but there was an Irish Law Officer on the Treasury Bench, and if the Government could get him to say something in support of the Bill it would give confidence to the profession.

MR. FAWCETT said, he would ask the Committee to consider what would happen if they passed this Bill. The Government could not discuss the finances of India on the 5th of August, and yet three days after when they defeated opposition by official votes they proposed to lay down a most important principle. It was the first time in the history of this country that, without the consent of the Secretary for India or the Council of India, two days before the close of the Session, a Bill was proposed imposing a tax on the people of India. The Chancellor of the Exchequer had stated that we did not lay such a charge on the Colonies because we could not, owing to the American War. That was a doctrine which would not be forgotten by the people of India. He lately read a letter from India, written by a gentleman who probably knew more about that country than anyone in England, and he said that these small acts of petty, contemptible meanness had produced a worse effect upon the people of India than if we levied an annual tribute on them. If we levied £3,000,000 or £4,000,000 upon them, they would say there was something Royal in that; it would fall in with their ideas of magnificence; but these repeated acts of meanness and shabbiness were unworthy of a great country and ought to be reprobated by the independent feeling of the House of Commons.

MR. BRUCE asked whether, apart from all other considerations, it was not better that the people of India should contribute £2,000 a year to the creation of a great Court of Appeal than that they should have a Court constituted in

India, the whole expense of which should be borne by themselves?

MR. G. B. GREGORY said, he did not see any such alternative. It would be abandoning the duty of the Imperial Government if we were to say to the Colonies—"You must pay for the constitution of the Court that is to hear your appeals." Nothing could tend more to loosen the bonds which united our Colonies to us.

MR. BRISTOWE said, he wished to record his protest against the House of Commons taxing a dependency for the maintenance of an English Court of Justice.

MR. J. LOWTHER said, the unanimous opinion of the legal profession was decidedly against the Bill. Hon. and learned Gentlemen on the Government side had pronounced against it; but some hon. Members, who had not heard the discussion, had voted with the Government, and among them in the late Division was the hon. and learned Attorney General. He hoped the hon. and learned Gentleman would see by the coming Division the position in which he was placed.

DR. BREWER said, it was not unreasonable to ask that the subjects of the Crown should contribute to the expenses of the Court.

MR. R. N. FOWLER said, it was totally unworthy of a rich country like Great Britain to impose such a paltry tax on a poor country like India.

MR. MONK said, that, as a great number of appeals came from India, it was only right that India should pay its quota towards the expense of the tribunal which was to decide them.

MR. WATKIN WILLIAMS said, in answer to the remark of the Secretary of State for the Home Department, he must express his conviction that if that Bill passed the men who had made that tribunal the pride of England, and the greatest Appeal Court in the world, would decline to serve on it.

Question put, "That the words

'There shall be paid out of the revenues of India to any person appointed a member of the Judicial Committee in pursuance of this section, during the time that he serves as a member of such committee, an annual payment not exceeding one thousand pounds, in addition to any pension he may be entitled to in respect of his services in India,'

be added at the end of Clause 2."



The Committee *divided*:—Ayes 38; Noes 36: Majority 2.

MR. BRUCE then rose and said, that the Government had brought in the Bill really with an honest desire to provide for a state of things which they believed to be a most crying evil, and the effect of its rejection would inevitably be the postponement for a full 12 months of any improvement of that great Court of Appeal for India and the Colonies. At the same time, the Government felt the disadvantage of pressing forward so important a measure at that period of the Session, and were conscious that they could not carry it without the general support and approbation of the House. Even if it went on they would have, at a later stage, to appeal to the consideration and friendly aid of the House to dispense with some of its ordinary forms in order to pass it; and it was impossible, after the Division which had just occurred, that they could make such an appeal with any hope of success. Therefore nothing remained for the Government but to abandon the Bill.

[No Report.]

#### CLERICAL DISABILITIES BILL.

##### LORDS' AMENDMENTS.

##### Lords' Amendments *considered*.

MR. BERESFORD HOPE said, he had to move that the House do disagree from the Amendments. They were, in fact, only one Amendment, for they all hung together, and were all referrible to one point—namely, the omission of the 7th clause of the original Bill, which allowed a clergyman who might have given up the active performance of his duties in the hot haste of his youth to resume them subject to the discretion of the Archbishop of the Province, after a few years of mature reflection, with his mind ripened and his religious feelings deepened. The Lords had struck out that clause, and he now invited the House to restore it in the name of toleration and of religion itself. It was said that this clause would let in the "black sheep." He denied it. The black sheep were the men who would simply change the clerical dress for a shooting jacket, and lounge at Homburg till they were tired of the life and then come back and take a living. Those who executed the deed under this Bill

would be earnest though mistaken seekers after truth—men like Mr. Macnaught, who had gone back after a season of doubt and was doing again such good work at Liverpool. These were the persons whom the Bill in its present shape would alone of all men exclude, for the residue of their life, from the possibility of the Ministry.

MR. MONK said, he had intended to move the rejection of the 7th clause, but ultimately he thought it better to leave the matter to be dealt with by the Lords. The Bishop of London and other right rev. Prelates objected to allowing a clergyman to play fast and loose with his sacred calling. He would support the Lords' Amendment.

MR. CANDLISH said, he should support the view of the hon. Member for Cambridge University (Mr. Beresford Hope), as he desired to give others the liberty which he prized for himself.

MR. J. D. LEWIS said, that the original promoters of the Bill did not agree about the 7th clause, and it was unprovided for in the Preamble.

MR. BRUCE said, the question was whether the House of Commons should imperil the Bill by rejecting the Lords' Amendment. He thought the result of rejecting the Lords' Amendment would be to defeat the Bill, and, therefore, though personally he was of the same opinion as his hon. Friend the Member for Cambridge University (Mr. Beresford Hope), he would vote for the Motion that this House doth agree with the Lords in the said Amendment.

MR. KINNAIRD said, out of all the private Members' Bills not more than three would become law this Session. He hoped, therefore, that the success of this one would not be imperilled.

Page 3, leave out Clause 7, the first Amendment, read a second time.

Motion made, and Question put, "That this House doth agree with The Lords in the said Amendment."

The House *divided*:—Ayes 41; Noes 9: Majority 32.

Subsequent Amendments *agreed to*.

#### ARMY—ARTILLERY AND RIFLES.

##### MOTION FOR RETURNS.

MR. SINCLAIR AYTOUN said, he rose to move for an Address for—

"Returns of the number of Field and of Horse Artillery Batteries at home, with the number of men and of horses attached to each Battery, and the number of men and of horses required to place each Battery in a condition for active service in the field; of the number of Field Guns in store; and of the number of sets of Harness in store."

He had also to move an Address for

"Returns of the number of Breech-loading Infantry Rifles produced since the adoption of the Snider breech-loading principle, giving the numbers obtained by the conversion of muzzle-loading rifles into breech-loaders; of the number obtained by the direct manufacture of Breech-loaders; of the number of Breech-loading Rifles issued to the regular troops and the reserve forces, specifying the number issued to each regiment; and of the number of Breech-loading Rifles of all descriptions now in store,"

He would take that opportunity of asking the hon. and gallant Member for Truro (Captain Vivian), whether he was in a position to give him any information on the subject of those Returns, and whether it was proposed to arm the Volunteers, who, in his opinion, had been badly treated in return for their services, with breech-loading rifles?

CAPTAIN VIVIAN said, that his right hon. Friend the Secretary of State for War having intimated to the hon. Member (Mr. Sinclair Aytoun) that he had no objection to the Returns he moved for being given, he did not think it necessary to enter in detail into the subject before the House. There were 10 batteries of Royal Horse Artillery and 20 field batteries, which gave a total force of this arm which was supposed to be sufficient for a force of 60,000 men. The Royal Horse Artillery batteries had each six guns and three waggons, 172 officers and men, and 112 horses, while the field batteries had six guns, six waggons, 180 officers and men, and 84 horses—making a total of 180 guns, to every one of which six trained horses were attached, four trained horses, which would be available for gun service, being attached to each wagon. The Director General of the Ordnance was of opinion that this was a larger force of artillery for a peace establishment than was maintained by any other country in the world. With respect to the reserves, they were amply sufficient to supply deficiencies. There were a number of batteries in store at Woolwich, which were now being overhauled and put in fresh order. With regard to the number of breech-loading firearms, the Se-

*Mr. Sinclair Aytoun*

cretary of State for War had more than once stated that there 300,000 in store. At the present moment there were 269,964 breech-loading rifles and 39,456 breech-loading carbines in store, making a total of upwards of 309,000. With regard to the supply of this arm to the Volunteer Force, he was sure he only expressed the opinion of his right hon. Friend when he said that no one more highly estimated the character and value of that force than he did, and it was from no disposition to underrate them that he had not put the Snider arm into their hands. His right hon. Friend had, at an earlier hour in the evening, stated that it was his intention to arm the Volunteer Force gradually with the Snider rifle; but, as that was a very valuable arm, it would be necessary that some rules and regulations should be framed for its safe and proper custody. When that was done a distribution would be made. Purchases of horses were being made to make up the required number for the Artillery.

*Motion agreed to.*

Address for "Returns of the number of Field and of Horse Artillery Batteries at home, with the number of men and of horses attached to each Battery, and the number of men and of horses required to place each Battery in a condition for active service in the field:"

"Of the number of Field Guns in store:"

"And, of the number of sets of Harness in store."—(*Mr. Sinclair Aytoun.*)

Address for "Returns of the number of Breech-loading Infantry Rifles produced since the adoption of the Snider breech-loading principle, giving the numbers obtained by the conversion of muzzle-loading rifles into breech-loaders:"

"Of the number obtained by the direct manufacture of Breech-loaders:"

"Of the number of Breech-loading Rifles issued to the regular troops and the reserve forces, specifying the number issued to each regiment:"

"And, of the number of Breech-loading Rifles of all descriptions now in store."—(*Mr. Sinclair Aytoun.*)

#### PARISH CHURCHES BILL.

On Motion of Mr. WEST, Bill to declare and enact the Law as to the rights of Parishioners in respect of their Parish Churches; and for other purposes relating thereto, *ordered* to be brought in by Mr. WEST, Sir PERCY HERBERT, and Mr. THOMAS HUGHES.

*Bill presented, and read the first time [Bill 263.]*

House adjourned at Eight o'clock.



## HOUSE OF LORDS,

Tuesday, 9th August, 1870.

MINUTES.]—PUBLIC BILLS—*Third Reading*—Stamp Duties\* (295); Stamp Duties Management\* (296); Inland Revenue Acts Repeal\* (297); Local Government Supplemental (No. 2)\* (229); Greenwich Hospital\* (244); Pensions Commutation Act (1869) Amendment\* (274); Oaths of Allegiance on Naturalization\* (299); Expiring Laws\* (306); Consolidated Fund (Appropriation)\* (309); Joint Stock Companies' Arrangement\* (302); Truck Commission\* (304); Sanitary Act (Dublin) Amendment\* (303), and passed.

*Royal Assent*—Gun Licences [33 & 34 Vict. c. 57]; Paupers Conveyance (Expenses) [33 & 34 Vict. c. 48]; Evidence Further Amendment Act (1869) Amendment [33 & 34 Vict. c. 49]; Medical Officers Superannuation [33 & 34 Vict. c. 94]; Siam and Straits Settlements Jurisdiction [33 & 34 Vict. c. 55]; Wages Arrestment Limitation (Scotland) [33 & 34 Vict. c. 63]; Settled Estates [33 & 34 Vict. c. 56]; Dublin City Voters Disfranchisement [33 & 34 Vict. c. 54]; Shipping Dues Exemption Act (1867) Amendment [33 & 34 Vict. c. 50]; Vestries (Isle of Man) [33 & 34 Vict. c. 51]; Extradition [33 & 34 Vict. c. 52]; Sanitary Act (1866) Amendment [33 & 34 Vict. c. 53]; Passengers Act Amendment [33 & 34 Vict. c. 95]; Curragh of Kildare [33 & 34 Vict. c. 74]; Magistrates, &c. Election (Scotland) [33 & 34 Vict. c. 92]; Life Assurance Companies [33 & 34 Vict. c. 61]; Factories and Workshops [33 & 34 Vict. c. 62]; Forgery [33 & 34 Vict. c. 58]; East India Contracts [33 & 34 Vict. c. 59]; Brokers (City of London) [33 & 34 Vict. c. 60]; Married Women's Property [33 & 34 Vict. c. 93]; Petty Sessions Clerk (Ireland) Act (1858) Amendment [33 & 34 Vict. c. 64]; Larceny (Advertisements) [33 & 34 Vict. c. 65]; British Columbia [33 & 34 Vict. c. 66]; Army Enlistment [33 & 34 Vict. c. 67]; Absconding Debtors [33 & 34 Vict. c. 76]; Juries [33 & 34 Vict. c. 77]; Tramways [33 & 34 Vict. c. 78]; Elementary Education [33 & 34 Vict. c. 75]; Post Office [33 & 34 Vict. c. 79]; Census (Ireland) [33 & 34 Vict. c. 80]; Meeting of Parliament [33 & 34 Vict. c. 81]; Canada (Guarantee of Loan) [33 & 34 Vict. c. 82]; Constabulary Force (Ireland) [33 & 34 Vict. c. 83]; Public Schools Act (1868) Amendment [33 & 34 Vict. c. 84]; Sheriffs (Scotland) Act (1853) Amendment, &c. [33 & 34 Vict. c. 86]; Annuity Tax Abolition (Edinburgh and Montrose, &c.) Act (1860) Amendment [33 & 34 Vict. c. 87]; Telegraph Acts Extension [33 & 34 Vict. c. 88]; Foreign Enlistment [33 & 34 Vict. c. 90]; Queen Anne's Bounty (Superannuation) [33 & 34 Vict. c. 89]; Militia Acts Amendment [33 & 34 Vict. c. 68]; Clerical Disabilities [33 & 34 Vict. c. 91]; Turnpike Acts Continuance [33 & 34 Vict. c. 73]; National Debt [33 & 34 Vict. c. 71]; Statute Law Revision [33 & 34 Vict. c. 69]; Pedlars Certificates [33 & 34 Vict. c. 72]; Gas and Water Facilities [33 & 34 Vict. c. 70]; Norfolk Boundary [33 & 34 Vict. c. 85]; Sewage

Utilization Supplemental [33 & 34 Vict. c. clvi]; Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) [33 & 34 Vict. c. clvii]; Pier and Harbour Orders Confirmation (No. 2) [33 & 34 Vict. c. clviii]; Pier and Harbour Order Confirmation (No. 3) [33 & 34 Vict. c. clvix].

## CENSUS BILL.

## COMMONS' REASONS.

Commons' Reasons *considered*, (according to Order).

THE EARL OF MORLEY moved, that their Lordships do not insist on the Amendments to which the Commons disagreed. The principal of these Amendments was that made by their Lordships providing for what had been termed a religious Census.

LORD CAIRNS said, that while Parliamentary practice required the House of Commons to assign Reasons for disagreeing to an Amendment, it provided no means of inventing good Reasons where none existed. In the present case they had, therefore, been obliged to assign two Reasons as bad and insufficient as could be imagined—namely, that an inquiry into religious opinions would be objectionable to a large number of people, and that the expense involved in it was not worth incurring. After the course which the Government and the House of Commons had adopted it was useless to press the matter; but he only hoped that when any question arose as to the number of adherents of various religious denominations in England, it would not be again suggested, as had been done on former occasions, that those who opposed this Census were able to number themselves by millions in this country.

Motion *agreed to*: the Amendments to which the Commons disagree *not insisted on*.

## THE NEW COURTS OF JUSTICE.

## QUESTION.

LORD DENMAN, in pursuance of a Notice, asked what was the estimate for the new Courts of Justice, and whether that estimate included the £20,000 lately voted for clearing the site? He observed that Sir Richard Malins, in the House of Commons, had declared that the Consolidated Fund must supply funds for the clearing of streets, while only two Courts were necessary, in Lincoln's Inn. He contended that this enormous ex-

penditure was quite unnecessary, and he was sure that their Lordships would pause before they gave unlimited power to any architect, by departing from the course which had been adopted by the late Earl of Derby as to the Courts of Justice Building Bill.

THE MARQUESS OF LANSDOWNE replied, that the estimate was £750,000 and that there was no reason to suppose that it would be exceeded. The £20,000 voted for clearing the site was on account of this sum.

House adjourned at Two o'clock,  
till To-morrow, half-past  
Twelve o'clock.

## HOUSE OF COMMONS,

*Tuesday, 9th August, 1870.*

MINUTES.] — NEW WRIT ISSUED — *For Plymouth, v. Sir Robert Porrett Collier, Knight, Recorder of Bristol.*

PUBLIC BILL.—*Ordered—First Reading—Statute Law Revision (Ireland)\* [264].*

The House met at half after Twelve of the clock.

### STATISTICAL RETURNS OF THE BOARD OF TRADE.—QUESTION.

MR. BOWRING said, he wished to ask the Secretary to the Board of Trade, Whether the Committee appointed last year to consider the revision of the Statistical Returns published by the Board of Trade have yet completed their labours; and, when the result of their inquiries is likely to be made public?

MR. SHAW LEFEVRE: In reply, Sir, to the hon. Member, I have to state that the departmental committee to which he refers reported to the Treasury in May last upon the improvements to be effected in the form of the trade accounts; as to the means to be adopted for issuing them earlier to the public, and, further, as to the organization of that branch of the Customs which deals with this subject. It was stated a few days ago by my right hon. Friend the Secretary of the Treasury that the Report had been submitted to the Commissioners of the Customs for their opinion as to how far it was practicable to carry out these changes, and I understand that they have within the last day or two given their opinion. It will, therefore, now

rest with the Treasury to determine whether they will carry out the recommendations of the committee, so far as the organization of the Department is concerned, and until this is determined, in my opinion it will not be possible to make the improvements in the accounts which are also recommended.

### THE WELLINGTON MONUMENT.

#### QUESTION.

MR. BERESFORD HOPE said, he would beg to ask the First Lord of the Treasury, If he can undertake that no further steps should be taken in the matter of the Wellington Monument until the matter can be fully discussed in Parliament, and an opportunity be given to the artist to make the explanations which are not included in the Papers laid before Parliament?

MR. AYRTON said, in reply, that on the 14th of April last Mr. Penrose was informed that an inquiry would be held into the proceedings in reference to the Wellington Monument, and the letter then addressed to him gave him ample notice that he might offer any explanations on the subject. On the 21st of April a letter was addressed to Mr. Stevens, the sculptor, informing him that an inquiry would be made, and that he would have ample opportunity for giving any explanations in his power. No explanation, however, was given by Mr. Penrose or Mr. Stevens that was at all satisfactory to the gentlemen who conducted the inquiry. It was not until the 20th of July last that Mr. Penrose was informed that his services as superintending architect would be dispensed with, and Mr. Stevens was informed that his contract would be annulled in consequence of his default. Both gentlemen had had ample opportunity since then of affording explanations with respect to their conduct, but they had not done so. Mr. Penrose wrote a letter which gave no explanation at all, and Mr. Stevens wrote another which appeared to make his position much worse than before. It had become necessary to hand that letter over to the solicitor of the Department of Works, with instructions to take immediate measures to enforce the rights of the Crown. The solicitor would proceed with the utmost expedition, and if the hon. Member desired to discuss the question next Session nothing could more



effectually further his object than to have the matters that were now pending decided in the meantime by a Court of Justice. It could not be said in that case that there could be no discussion, as the question was before a Court. Care would be taken that the gentlemen involved would have an opportunity of giving the explanations which the hon. Member desired. He could assure the hon. Gentleman that the proceedings would be pursued with the utmost energy and despatch.

#### INDIA—PUBLIC WORKS DEPARTMENT— ENGINEERING COLLEGE.—QUESTION.

MR. PLUNKET said, he wished to ask the Under Secretary of State for India, Whether it is the intention of Her Majesty's Government to establish an Engineering College for the preparation of candidates seeking employment in the Indian Public Works Department; and, if so, whether it is the intention of Her Majesty's Government to abandon or modify the present system of competitive examination for appointments in that department; and, whether it is intended to abolish the system of competitive examinations for the forest service in India?

MR. GRANT DUFF: In reply, Sir, to the hon. Member I have to say that it is intended to establish an Engineering College to be entered by competitive examination, and that it is not intended to abolish the system of competition for our forest service in India.

#### UNITED STATES — FURTHER TREATY OF EXTRADITION.—QUESTION.

MR. STAPLETON said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will be prepared, on the passing of the Extradition Bill, to negotiate with the United States for a further Treaty of Extradition, in which persons charged with embezzlement will be included, similar in character to the Treaty of Extradition between France and the United States?

MR. OTWAY said, in reply, that, as he was informed, embezzlement was included in the list of crimes in the Extradition Bill; but the Government would bear in mind the suggestion of his hon. Friend in case there should be any alteration in the Extradition Treaty be-

tween this country and the United States. There was, however, no immediate intention of proposing any.

#### METROPOLIS — GOVERNMENT OF LONDON LEGISLATION.—QUESTION.

MR. BOWRING said, in the absence of his hon. Friend (Mr. Buxton), he would beg to ask the Secretary of State for the Home Department, Whether it was the intention of Her Majesty's Government to bring in a Bill next Session for the better government of London?

MR. BRUCE said, in reply, that before he answered that Question he might perhaps be allowed to make one or two observations. He did most earnestly desire, and he thought there was a reasonable expectation, that the Home Department would have somewhat more time for the consideration of its measures by the House next Session than it had had this Session. If such were the case, and he thought he might fairly assume that it would be, he held himself pledged to bring in, in the first place, a Licensing Bill and a Trades Union Bill—both of which subjects had been mentioned in the Queen's Speech—and, in addition, a Mines Regulation Bill, which for want of time, he had been unable to carry through Parliament in two successive Sessions. Among the other matters—and he was sorry to say they were numerous—which would require soon to be treated, one of the most important was that to which the Question of his hon. Friend referred—namely, the better government of the metropolis; but, important as it was, there were others hardly yielding to it in importance, and perhaps of still greater urgency. Among them was the condition of our rivers—a matter affecting not only the question of the supply of water, but also the sanitary arrangements of all our large towns. Next to that was another measure of very great importance, and forming the necessary complement of the Elementary Education Bill passed this year—he meant a complete revision of the Factories and Workshops Regulation Acts. Another question on which a Commission had been sitting for, he thought, the best part of two years was the Amendment of the Sanitary Acts; and among the further subjects requiring legislation were the Inclosure of Com-

mons, County Finance Boards, the Turnpike Acts, the superannuation of the Police, and the Game Laws. [Mr. BERESFORD HOPE: And the Medical Acts Amendment.] That, he was happy to say, was not within his Department. He need not say that those measures alone would occupy the whole time of the House, and it was absolutely impossible, therefore, that he could do more than make a selection from them. It would be the business of the Government carefully to consider the contending claims of those various measures, and, with reference to the time which might be fairly allowed to the Home Department next Session, to say what Bills, and how many of them, could be dealt with; and he could assure his hon. Friend that the local government of London was a question which would have a foremost place in the consideration of those measures.

#### EXPEDITION TO OCEANICA.

##### QUESTION.

MR. H. RICHARD said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there is any foundation for the statement which appeared in one of Reuter's Telegrams, dated Madrid, June 24—

"That Spain, England, and Holland had decided to organize an expedition to Oceanica to put an end to piracy, the Spanish squadron being charged to explore the Sea of Yolo and the Philippine Islands?"

MR. OTWAY said, in reply, that he was not aware of any expedition of that kind being contemplated.

#### BOARD OF TRADE, &c.

##### OBSERVATIONS.

MR. MACFIE, who had given Notice to call attention to the constitution and working of the Board of Trade and other Administrative Departments; and to move—

"That, in the opinion of this House, the great commercial and national objects which Parliament has entrusted to the Board of Trade, and others which lie equally within the Board's legitimate sphere, would be furthered if, as in earlier periods of its history, the President and Secretary had, in discharging the numerous, diversified, and yearly enlarging functions of that important Department, the assistance of weighty and experienced assessors, such as might be selected by Her Majesty on account of their acquaintance with the various industrial interests of the Empire, from within and outside of Parliament, to act together as a duly constituted deliberative Board,"

*Mr. Bruce*

said, he was unfortunate in having to bring that question forward in the absence of the respected and valued head of the Department to which it related, and also at the late period of the Session at which they had arrived. He believed it would be uncongenial to the House if he were now to propose his Motion, and that he would not be doing justice to the subject if he attempted it, because the opinion of the commercial Members of Parliament could not now be obtained. At the same time he wished very briefly to indicate what the proposal was which he had intended to lay before the House. It was utterly impossible that the Board of Trade, as at present constituted, could discharge all the duties that pertained to it. His proposal was that the President and Secretary should have the assistance of weighty and experienced assessors, such as might be selected by Her Majesty on account of their acquaintance with the various industrial interests of the Empire. Members of Parliament and gentlemen outside Parliament would give their services gratuitously. He would have several committees in the Department of Trade. He was convinced that such a system should sooner or later be introduced in the Colonial Department and in the Department of the Post Office, as well as in that of the Board of Trade. Having briefly stated what was the object of the Motion of which he had given Notice, he begged to say that he would not now move that Motion, but would postpone action in the matter till another Session.

#### MILITIA (IRELAND.)

##### MOTION FOR A RETURN.

Motion made, and Question proposed,

"That there be laid before this House, a Return of the number of Militiamen, stating date, corps, county, offence, and punishment, who had been brought before either Magistrates at Petty Sessions or any Superior Court since 1865 charged with any agrarian or political offence in Ireland." —(*Mr. Stacpoole.*)

THE SOLICITOR GENERAL FOR IRELAND (Mr. Dowse) said, without having any intention whatever of casting an imputation on the loyalty of the Irish Militia, he must, on the part of the Government, decline to accede to the Motion of the hon. Member. The Return was one which would take much time and cost a great deal of money, besides



which it would not be possible to secure accuracy in such a Return. For all practical purposes the Return would be useless.

COLONEL FRENCH denied that the compiling of the Return would involve trouble, delay, or expense. There would be no difficulty in furnishing such a Return. He thought the Government acted unwisely in not embodying the Irish Militia. The Staff was kept up, but the rank and file of the force were allowed to dwindle away. He wished to know whether the Government had any reason for not calling out the Irish Militia regiments? In his opinion the hon. Member was entitled to the Return he asked for.

COLONEL BARTELOT observed that yesterday another Militia question had been passed over, in what he could not help regarding as rather unseemly haste. As the Secretary for War was not in his place he should not enter upon the question of the Militia further than to express a hope that the Government would avail themselves of the favourable opportunity now afforded them to place the Militia Force in a state of efficiency, both as regarded officers and arms. It would be a graceful act on the part of the Government to call out the Irish Militia, and to bring them over into this country.

MR. BRUCE reminded hon. Members that the question before the House was not whether it was expedient to call out the Irish Militia, but whether a certain Return, involving considerable delay and expense, should be granted. For the reasons already given he trusted that the hon. Member would withdraw his Motion, more especially as he had never heard any charge brought against the Irish Militia, such as the terms of the Motion would seem to imply had been alleged against them.

MR. EYKYN said, he was glad that the question of the Militia had been ventilated, even in this indirect manner. He trusted that the Militia regiments would be kept up to their full strength, and would be properly officered and armed. It would of course be very unwise to take any steps that might present the appearance of our being in a panic; but as the Militia was the force we looked to in times of peace, it might be placed upon a proper footing without leading to any improper inferences.

MR. STACPOOLE said, he would be the last person to cast a slur upon the Irish Militia. His only object in moving for the Return was to show that they were entirely innocent of the charges that had been brought against them. He begged to withdraw his Motion.

Motion, by leave, *withdrawn*.

## HOUSES OF PARLIAMENT APPROACHES.

### MOTION FOR AN ADDRESS.

MR. HAVILAND-BURKE moved—

“That an humble Address be presented to Her Majesty, praying that, taking into consideration the late hours and heavy labours in connection with the duties of the Legislature, and the inconvenience and loss of time arising from the crowded state of the thoroughfares, Her Majesty will be graciously pleased to direct that during the Session of Parliament Members of the Legislature may have free access to the Houses of Parliament by way of Constitution Hill to Birdcage Walk and through the Horse Guards.”

To open new thoroughfares would cause a large expenditure to be incurred; but by the method he proposed no outlay would have to be made.

MR. BRUCE said, there was a good deal to be said in favour of the proposal of the hon. Member; but it would be useless at this period of the Session to present an Address to Her Majesty, because it would be impossible for an answer to it to be returned. The hon. Member had better withdraw his Motion for the present, and renew it early next Session.

Motion, by leave, *withdrawn*.

## NEUTRALITY OF BELGIUM.

### OBSERVATIONS.

MR. JACOB BRIGHT said, he wished to make reference to what took place yesterday in the House with regard to the new Treaty. He should be unwilling to return to the constituency which he represented without saying a word upon that transaction; but what he had to say he said rather to relieve his own conscience than with the view of producing any effect elsewhere. The Prime Minister told them that the Government had placed the country under fresh obligations with regard to Continental Powers, and the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had eulogized the transaction, and had said the Government were adopting a wise and spirited policy.

Now, he had always found in the past that every policy which was characterized by Gentlemen in various parts of the House as spirited had not turned out to be wise. He had a very strong conviction that there was no wise policy for this House and for the Government of this country to pursue but that of keeping entirely free from Continental entanglements. He believed the Government was sincerely anxious to keep the peace, and that the course they had taken with regard to this new Treaty had been with a view to the promotion of that object. But, as it was so contrary to what he believed to be a sound policy for this country to pursue, he was personally wholly opposed to it. The Prime Minister of France a short time ago told the world that he went to war with a light heart. It appeared to him that there were a great many men in that House and out of it who could enter upon a Continental quarrel with a light heart, if he might judge from the manner in which they had spoken on various occasions. He could not imagine anything more grave or disastrous than for this country, on any pretext whatever, to enter upon a Continental war. Since he had been in that House nothing had struck him more than the debates with regard to the pauperism of the country and the burdens upon the class who had to support that pauperism; and when he heard men talk lightly of going to war, he remembered that we had more than 1,000,000 paupers, and that we had 2,000,000 or 3,000,000 who had to assist in supporting those paupers, though they had themselves no more than the bare necessities of life. The conditions on which our prosperity was based were wholly different from those which were to be found in connection with any other country. If a wall were built round France or round Germany each of those countries could live though nothing went out of it or nothing came into it. They produced enough for their people's food; but, as we had to obtain elsewhere a large proportion of what was consumed in this country, it was far more serious for us to enter into a war than for any other country that could be named. Besides, the British Empire extended over the whole globe, and if we were to enter into a Continental war it would be felt in Canada, on the shores of Asia and Africa, and in Australia.

*Mr. Jacob Bright*

He could never, therefore, speak lightly of such a possibility. He hoped the day would come when the men who met in that House would feel that their duties were confined to wise legislation for the people, and the defence of British possessions and British interests. He was as willing as any man to give his voice and vote for the protection of that which belonged to us; but he protested against Quixotic expeditions, involving this country in difficulties from which it was often difficult to escape. He did not think any Government had a right to subject the country to greater obligations, or to incur any risk of Continental war, without the opportunity being afforded for some general expression of opinion on the part of the constituencies. He did not believe he should live to see the day when any Prime Minister who was at once remarkable for intelligence and conscience would, under any pretext do anything that would involve the country in a Continental war. To put himself in order he moved the adjournment of the House.

SIR WILFRID LAWSON, in seconding the Motion, expressed his regret that the Prime Minister had not been able to give them more explicit information about the Treaty, and said they ought to be put in possession of such information as soon as possible. He felt considerable apprehension from the statement made by the Prime Minister last night. It was true we entered into a Treaty in 1839; but there were a variety of opinions as to the extent to which we were bound by it; and many good authorities held that we were only bound collectively, and not separately, to interfere in the affairs of Belgium. As he understood the statement of the Prime Minister, this new arrangement bound us far more absolutely than did the old one to interfere in the affairs of Belgium, and it bound us in a very extraordinary manner, for it seemed to him we were to confine our operations to defending Belgium, and that we were not to go any further. If we went to war at all he would have us "go the whole hog." He should not perform his duty without saying that he felt much alarmed by the statement of the Prime Minister that the Government were entering into new obligations, as regarded Continental affairs, and without protesting in the strongest manner against any new en-



gement which could complicate us in the wretched Continental quarrel now going on.

MR. P. A. TAYLOR said, he respected the courage of his hon. Friends as he respected the courage of the minority of 5 in the Division of the other day; but, as a Radical and an Economist, he would venture to say a word on the other side. He had seen nothing of levity in the spirit with which the prospect of war had been contemplated, either in the House or in the country. Foreigners had been spoken of as if they were peculiar human beings, always ready to rush at each other's throats, uninfluenced by the elevated motives which actuated the great British people; but we should do more justice to foreigners if we regarded them as human beings and nations actuated by the same desires and feelings as ourselves; as struggling for a freedom which we had happily attained, and for an independence which we enjoyed: and if people abroad were fighting for independence and freedom, they were fighting our battle too. If his hon. Friends spoke for the "peace at any price" party, he would go beyond them, and say he was for peace at any price, even at the price of war. As to speaking of the defence of the country, where were you to draw the line of defence? If we were in any danger of being attacked, it was the greatest absurdity to sit still with our hands before us, and to make no preparations. That was not the way to insure peace; it was the way to make war probable. During this war we had been so anxious to take neither side that the result had been to hide from ourselves that which we ought to know—namely, that the war arose because the chief of the most warlike nation in Europe held his position under conditions which required him from time to time to distract the attention of his own subjects by a war with foreign countries. The House did not know enough of the Treaty proposed by Her Majesty's Government to pronounce a positive opinion upon it; but he thought they had done well to stand by a smaller nation whose existence had been threatened. If a woman or a child were attacked by a ruffian in the street, would his hon. Friends keep safely in-doors, deaf to screams for help, and declaring that they would interfere in no such quarrels? In his opinion, the Government had taken

a wise and spirited course in endeavouring to uphold the independence of Belgium.

MR. RYLANDS said, his hon. Friend the Member for Leicester (Mr. P. A. Taylor) had asked us to consider foreign nations as being actuated by elevated motives not less than the British people; but if that were so, what right had he to assume that any foreign Power would act the part of freebooters, and would, without provocation or justification, attempt to ravage our shores? On what ground did he assume that this country was in danger of being attacked by any foreign Power? The House had no right to assume that either France or Prussia had the slightest idea of attacking us, nor was it reasonable for the Government to act as though those Powers would take such a course as would render special measures of defence necessary on our part. Even if it were so, however, were not France and Prussia in a far better position to attack us before the war than now when they were fighting each other? Something had been said about panic, and there appeared to be a panic in that House, judging from the manner in which, night after night, hon. Members had got up in their places to put all kinds of Questions respecting the state of the defences of the country. It seemed as though their usual calmness and coolness had deserted them in the belief that we were in danger of invasion. And now after all our experience of the worthlessness of foreign Treaties we were about to be involved in another. It was only the other night that the right hon. Gentleman the Member for Tamworth (Sir Henry Lytton Bulwer), whose distinguished position gave him great authority on these subjects, had told them of a remarkable circumstance which had naturally excited considerable attention in the country. His right hon. Friend had said that before the ink with which the Treaty of 1831 guaranteeing Belgium was signed was hardly dry, there was a negotiation between the French and Prussian Ambassadors of that day to break its conditions. And just recently there was the proposed Secret Treaty between France and Prussia which had been brought to light not by diplomatists, but by the Press, and which gave us the right to say, notwithstanding every denial and explanation, that the course pursued by France and Prus-

sia was open to grave suspicion. But according to the Prime Minister, the Government had practically given up a Treaty under which the independence of Belgium was guaranteed by the five great Powers, for a separate Treaty with the two very Powers whose agents so recently had been negotiating an infraction of the former Treaty. It appeared that under the terms of the new Treaty if one of the belligerents were crushed and its military forces destroyed, we were to fight alongside that crushed Power, against the victorious Power, should the latter invade Belgium. That was not a satisfactory position. The hon. Member for Leicester seemed to think we ought to defend every small and independent State against aggression: why, then, did we not interfere on behalf of Schleswig-Holstein, of Hanover, and the Duchies and Archduchies which were crushed out of existence by Prussia and by Italy? Did those Sovereigns not excite the sympathies of his hon. Friend? [Mr. P. A. TAYLOR: Certainly not.] No; he was perfectly well aware that his hon. Friend rejoiced at the downfall of those petty sovereignties; but that was entirely inconsistent with his argument, as those were small and independent States very much in the position of Belgium. He (Mr. Rylands) did not wish to raise the question as to what this country ought to do in the event of Belgium being attacked. There was really no danger of Belgium being attacked, and he thought the question of the independence of that country ought to be left till the eventuality arose, and Her Majesty's Government ought not to be induced by all this clamour about Belgium to take a step which placed us at so serious a disadvantage. As far as he could judge, the new Treaty was a foolish Treaty, and he must express his deep regret that after all the misfortunes brought upon us by our Continental engagements, the Government should be negotiating another Treaty which might be disadvantageous to this country. It was to be regretted that under our constitutional arrangements there was no power in the House to discuss the provisions of a Treaty until they were carried into effect. It was unfortunate that in the secret recesses of the Foreign Office, Treaties should be hatched, by which the Government bound not only this but future generations, under cir-

cumstances which he feared might at a future time result in some great and terrible disaster. He could not say that he thought the eventuality contemplated by the present Treaty was likely to occur; but if it did occur, and if we were called upon to defend Belgium by allying ourselves with a crushed Power against an army and a nation flushed with victory and conquest; if in the interest of the 4,000,000 of the population of Belgium, our own 30,000,000 of people were involved in all the horrors, privations, and sufferings of a protracted war, then he ventured to say that the authors of this Treaty would be condemned in the page of history, and the evil results of their present action would blot out all the good which had been done up to this period by Her Majesty's Government.

Mr. BRUCE said, he hoped that the debate would not be further prolonged. It was extremely inconvenient to discuss such a subject in the absence of the Prime Minister, and the Under Secretary of State for Foreign Affairs, as well as in the absence of Members of the Opposition, with only one or two exceptions. An opportunity would be offered for the discussion of the new Treaty to-morrow, when his right hon. Friend would be present, and in the meantime he did not consider it expedient on the part of the Government to enter into the discussion. In reference to a remark of the last speaker as to a general disregard of Treaties, he desired to point out that there was a great difference between Treaties just entered into and those which had been greatly modified by events that had occurred since they were concluded. He believed the conduct of the Government in regard to the new Treaty was eminently calculated to maintain the independence of Belgium, and to preserve the country from the horrors of war. It was from no "lightness of heart," but with a sincere desire of the Government to do their duty, to preserve the honour of this country, and to avoid war, that the Treaty had been proposed; and he could assure the House that it was not hatched "in the secret recesses of the Foreign Office;" but that it was adopted on the full responsibility of the Government, acting in accordance with what they believed to be the almost unanimous desire of the country.



SIR HENRY LYTTON BULWER said, he did not reply to the remarks of his hon. Friends below the Gangway, because he quite concurred with the Home Secretary that in the absence of the Premier and of the right hon. Gentleman (Mr. Disraeli) this was not the time for discussing the new Treaty. At the same time, he did think it exceedingly desirable that before the House separated there should be some further opportunity of discussing the Treaty, which was at present very imperfectly known to Members.

MR. WHALLEY said, he thought that an opportunity ought to be given to the House to express its opinion on the present conjuncture of affairs, or else it would have no opportunity of speaking at all. During the last 20 years the country had spent nearly £400,000,000—about half the amount of the National Debt—to place and to preserve the country in security, and the House ought to have an opportunity of knowing whether, in case of our being involved in war, proper provision had been made for the public security. The Government had promised to preserve neutrality; but the policy they had hitherto acted upon had operated in favour of France. Lord Russell had once laid it down as a principle that the only foreign policy that England was called upon to recognize, or that she had ever recognized, was one which was calculated to promote civil and religious liberty throughout Europe, which meant the maintenance of Protestantism. But Protestantism was in danger as long as they allowed the Jesuits to exercise their machinations. All the wars that had desolated Europe of late years were attributable to the action of the Jesuits. He regretted the absence of the Prime Minister, and hoped that the Government would be able to satisfy the House that the policy the Executive proposed to follow would prove satisfactory.

Motion made, and Question, "That this House do now adjourn,"—(*Mr. Jacob Bright*,)—put, and *negatived*.

MR. BRUCE moved the adjournment of the House.

House at rising to adjourn till *To-morrow*, at half after Twelve o'clock.

# STATUTE LAW REVISION (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill for promoting the Revision of the Statute Law by repealing certain enactments which have ceased to be in force or have become unnecessary in Ireland, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. CHICHESTER FORTESCUE.

Bill *presented*, and read the first time. [Bill 264.]

House adjourned at a quarter before Three o'clock.

## HOUSE OF LORDS,

*Wednesday, 10th August, 1870.*

MINUTES.]—PUBLIC BILLS—*Royal Assent*—Consolidated Fund (Appropriation) [33 & 34 *Vict.* c. 96]; Stamp Duties [33 & 34 *Vict.* c. 97]; Stamp Duties Management [33 & 34 *Vict.* c. 98]; Inland Revenue Acts Repeal [33 & 34 *Vict.* c. 99]; Greenwich Hospital [33 & 34 *Vict.* c. 100]; Pensions Commutation Act (1869) Amendment [33 & 34 *Vict.* c. 101]; Oaths of Allegiance on Naturalization [33 & 34 *Vict.* c. 102]; Expiring Laws [33 & 34 *Vict.* c. 103]; Joint Stock Companies Arrangement [33 & 34 *Vict.* c. 104]; Truck Commission [33 & 34 *Vict.* c. 105]; Sanitary Act (Dublin) Amendment [33 & 34 *Vict.* c. 106]; Census [33 & 34 *Vict.* c. 107]; Census (Scotland) [33 & 34 *Vict.* c. 108]; Real Actions Abolition (Ireland) [33 & 34 *Vict.* c. 109]; Matrimonial Causes and Marriage Law (Ireland) [33 & 34 *Vict.* c. 110]; Beerhouses [33 & 34 *Vict.* c. 111]; Glebe Loans (Ireland) [33 & 34 *Vict.* c. 112]; Local Government Supplementa[ry] (No. 2) [33 & 34 *Vict.* c. clxv].

## NEUTRALITY OF BELGIUM—TREATY WITH FRANCE AND PRUSSIA.

### QUESTION. OBSERVATIONS.

LORD CAIRNS, who had given Notice, to inquire of the Secretary of State for Foreign Affairs, Whether any further progress has been made in concluding the Treaty with France and Prussia as to the neutrality of Belgium; and, whether Her Majesty's Government can state the text of the Treaty?—said: My Lords, I was anxious yesterday to put the Question which stands in my name on the Paper for to-day, but I was prevented doing so by the absence of the noble Earl the Secretary of State for Foreign Affairs, to whom I had been unable to give Notice in consequence of the early hour at which your Lordships met on that day. Your Lordships listened with great interest and attention to

the statement made by the noble Earl on Monday night. I think I may answer for both sides of the House that as to a great part of that statement it was a satisfaction to your Lordships to receive the information contained in it. I cannot—although any approval on my part must be of little consequence—withhold my expression of approval at the object which Her Majesty's Government had in view in the negotiations in which they have been engaged—an object which has put an end to any doubts, if such could exist, that they are prepared to maintain the engagements of the Treaty of 1839—engagements which do not concern the honour more than they concern the interests of England. There is also, I think, no doubt that of all ways, that most calculated to avoid the dire necessity of war is to announce at the very commencement the intention of the Government on a matter of this kind—to allow it to be known that this country is determined to adhere to her engagements, and will treat any violation of the engagements of the other signatories, parties to the Treaty of 1839, as a just and proper cause of war. Having said this, I must go a little further, and express to your Lordships frankly and briefly some considerations which have occurred to me with reference to the new engagement which has been proposed—considerations which to my mind appear to point to seeds of very considerable embarrassment and possible complication arising out of that engagement. Now, the signatories of the Treaty of 1839, putting aside Belgium, were five in number, and those five engaged, in words which are familiar to your Lordships, to maintain and defend the neutrality of Belgium. Two of those signatories are most unfortunately now engaged in war, and apprehensions are entertained that—whatever may be the intentions of those Governments at the present time—the pressure of events, whether they desire it or not, may lead one of them, or, as has been suggested in the past few weeks, both of them, to forget the engagements of the Treaty of 1839, and to compromise or violate the neutrality of Belgium. Under these circumstances, that which would have been the natural course for this country to pursue is so obvious that I certainly think strong reasons ought to be given for departing from it. By the natural

and obvious course, I mean the course which would have been taken if the Government of this country had made known—not by way of menace, but of information—to the two belligerent Powers that we bore in mind and were not unobservant of the obligations of the Treaty of 1839—that we were prepared to maintain those obligations, and that we should oppose any attempt of either or both of them to violate those obligations. And, at the same time that this information was conveyed, the natural course would have been to enter into communications with the remaining signatories of the Treaty who are not engaged in war—namely, the Court of St. Petersburg and the Court of Vienna—to inform them of the communication we had made to the belligerents, and to endeavour to arrange with them for an united course of action in contingencies that might arise. I cannot imagine that this course would have occasioned any delay greater than that necessary to accomplish an engagement such as is now proposed—I cannot imagine that it would have required more time to communicate with Russia and Austria than with France and Berlin. Nor can I see that the course I have indicated would have carried with it any threat or appearance of menace. The statement would have been made not to one of the belligerent Powers alone, but to both. It would not have assumed that there was any intention to disregard the obligations of the Treaty of 1839. It would have simply proceeded upon the natural assumption that when there was a war-like conflagration raging round a small protected territory, events might happen which would require the obligations of the Treaty of 1839 to be borne in mind and enforced. An obvious advantage, too, would have arisen from such a course. England and the two other neutral Powers, acting together, would have been free from any possibility of suspicion of siding with or favouring either of the belligerents. They would have stood aloof as neutral Powers, prepared to do no more than maintain the obligations of the Treaty by which they were bound, and they would not have been chargeable under any circumstances with the inconvenience of entering into fresh and new engagements with either or both of the belligerent Powers. That being, as I venture to think, the natural course



which matters should have taken, allow me to state very briefly what I have termed the elements of danger that I cannot help foreseeing in the engagement which is proposed. In the first place, the arrangement, as we are given to understand it, is this—that, in the event of the violation of the neutrality of Belgium by one of the belligerents, we are to engage ourselves to co-operate with the other belligerent, and the other belligerent is to engage to co-operate with us. I do not forget the limit or proviso, which I will refer to in a moment; but at first sight we are engaged to make common cause in that contingency with one of the belligerents. We thereupon cease to maintain in any sense the position of a neutral Power, or that of a neutral Power engaged merely in defence of the neutrality of Belgium; we become identified in the eye of the other belligerent and in the eye of the country of the other belligerent as allied with the first belligerent, with all the traditions and all the consequences which arise from taking part with one of two highly excited nations. We join that one nation, and I fear we leave behind that act on our part a train of bitter memories which it might require a great length of time to efface. If I mention the names of one or other of the countries to which I refer, I hope it will not be supposed that I am anticipating on the part of one or of the other any actual violation of the Treaty of 1839; but supposing such a thing were to happen—suppose the Treaty were to be violated by France, we become bound to take part with Prussia—we are arrayed in arms with Prussia in this great contest against France. Now, do you suppose that in such case, the French people, intelligent and ingenious as they are, will carefully discriminate and bear in mind the fact, that we allied with Prussia merely to defend the neutrality of Belgium, and that they will not look upon us as partners with Prussia, and as making common cause with it to all intents and purposes? If, on the other hand, the violator of the Treaty be Prussia, and we are to unite with France, do you suppose that the people of Germany, who are at this moment showing themselves eager enough to watch the least symptom of a departure from neutrality on our part, would discriminate as to the object and purposes for which we unite with France, and that

they will not look upon us simply as allies of France in a war against themselves, and that all the traditions and all the train of angry memories which such a course naturally excites will not arise? More than this. In the position which I have attempted to describe there is an end to all power on the part of England to interpose at any part of the contest and say—"Our only object is to protect the neutrality of Belgium. We have no interest in the war." On the contrary, England would have become to all intents and purposes one of the belligerents, and counsels or suggestions of that kind from us would be extremely unlikely to be listened to. I will go further. I said I had not forgotten the proviso as to the extent to which we are to co-operate with the other belligerent Power in the event of the neutrality of Belgium being violated by one of them. The arrangement, as I understand, is that if one of the belligerents should violate the neutrality of Belgium we should engage to join the other, but should not be bound to co-operate with the other for the general purposes of the war. Now, I ask, how a co-operation of that kind could possibly happen?—how the co-operation of England could be limited in its extent and ambit to the mere object of maintaining the neutrality of Belgium, and could be prevented from going beyond that, and to the general operations of the war? Look at the position of the two co-operating Powers, England and the belligerent which she will join. Their objects will be as different as any two objects can be. The object of England will be to interpose to maintain the neutrality of Belgium and there stop. The object of the belligerent which she will join will be altogether different. It will be to humble, to strike at its enemy, to inflict the most serious blow which could be inflicted upon the other belligerent with which it was engaged in a death struggle. What would be the consequences? You would have two Powers co-operating with different and antagonistic objects. You would have them at constant variance as to whether any particular strategic operation was required—whether it was all that was required for the preservation of the neutrality of Belgium, or whether it did not go beyond such preservation of neutrality and launch out into some general object of the war.

You would have divided counsels, antagonistic schemes—you would have that which would be of all things that can be supposed fatal to the harmony of the two co-operating Powers, and disastrous to the accomplishment of any good result from that co-operation. Then I go further. If England were to interpose alone, or interpose in union with the two other neutral Powers, Austria and Russia, and to interpose merely for the purpose of maintaining the engagements of the Treaty of 1839, you would have—I will not say, a very strong prospect, but, at all events, a reasonable prospect of localizing any war which unfortunately might become necessary—you would have some prospect of confining military operations, first, to the purpose in view—namely, to protect Belgium, and next to the locality which was principally concerned, the locality immediately contiguous to Belgium. But the moment you go beyond this and enter into an engagement to join one of the belligerents in a course of operations which it has in hand, it becomes necessary that the other belligerent, for its own defence—for its own success in the war in which it is engaged, should treat England so joining its antagonist as a Power which it must strike at, which it must humble; upon which, if possible, it must inflict an injury in every part of the world where an injury can be inflicted upon this country. So that, in place of any chance of localizing the struggle, you of necessity extend its limits to whatever part of the world English power and English dominion may reach. The next observation I have to make is this. Since England, in case of the violation of the neutrality of Belgium by one belligerent, is to join the other, you make it the object of each belligerent to obtain the alliance of England, and its co-operation against its rival. The co-operation of England is to depend on the simple fact of the violation of the neutrality of Belgium. Now, I can conceive nothing more likely than that a skilful politician, or an ingenious strategist, would be able without very great difficulty so to arrange matters on behalf of one of the belligerent Powers that it would become absolutely necessary for the other belligerent to commit some act which would be a violation of that neutrality; and then, the moment that that act was done,

*Lord Cairns*

the co-operation of England is secured to that belligerent who has caused and necessitated the very act of which we complain. I ask your Lordships what would be the effect on public opinion in this country if anything of the kind occurred? Suppose one of the belligerents, by this ingenuity—which I think would not be very difficult—succeeded in making it necessary for the other belligerent, for the sake of its own preservation, to do some act which would be a violation of the neutrality of Belgium; and suppose the people of this country should see, as they certainly would, that the real offender was not the belligerent who actually and mechanically violated the neutrality, but the other, who made that act necessary; what would the country say if it found the Government engaging us in a war on behalf of and in co-operation with that belligerent which was morally the guilty party in the transaction? The next observation I have to make is this—the engagement seems to me to be one entirely useless. If both the belligerents should violate the neutrality of Belgium, it would have no operation. If, on the other hand, only one violates the neutrality, and if we are to engage in hostile operations in consequence of that act, we should always, without the least difficulty, without any previous engagements, be perfectly sure of securing the co-operation of the other if we should wish for it, and if the terms upon which we should be willing to accept it were agreed upon between us. Hence it is useless in the one case and superfluous in the other. Then I ask your Lordships to consider what effect it may have upon the acts and engagements of Russia and Austria. If the neutrality of Belgium should be violated, and if this country should assert—as it would assert—the engagements of the Treaty of 1839, and if we then applied to Austria and Russia to join us, I can quite well understand that we might expect to secure their co-operation for the purpose of maintaining engagements to which they were bound as well as ourselves. But enter into an arrangement of this kind—let the same thing be attempted, and appeal to Austria to join us in enforcing the Treaty. I can understand Austria replying—“We admit that we are bound by the Treaty of 1839, and we should have been very glad to co-operate with



you in maintaining its obligations; but you have entered into another engagement, in consequence of which"—supposing France was the violator—"you have agreed to co-operate with Germany, and now you are about to enforce the engagements of the Treaty of 1839 in co-operation with Germany. We should be quite willing to co-operate with you if you acted, as we should act, simply as neutrals in the quarrel; but if you are going to co-operate with Prussia we decline to act upon that policy, and we therefore will not give our adhesion." I gathered from the statement of the noble Earl (Earl Granville) that a communication had been made to Austria and Russia, and that, though no formal answer had been obtained, such communications as we have had were satisfactory. Now, I have no doubt Austria and Russia will not think it necessary to protest against this arrangement; but it is one thing to abstain from protesting—it is one thing to use civil expressions with regard to it—it is another thing to say—"We tell you distinctly that we shall not allow this engagement in any way to interfere with our obligation to co-operate with you, if you desire it, in maintaining the Treaty of 1839." I will not say more than that I greatly fear there are at this part of the case the seeds of difficulty which possibly may lead other Powers to take a different view of the obligations of 1839 than they would otherwise have done. I have now, with a brevity befitting the day and hour, pointed out—I hope in no spirit of criticism beyond that which my sense of duty makes me feel necessary—the doubts which I entertain with regard to the Treaty. I desire to repeat most amply, however, my great pleasure at the object which the Government had in view, and the spirit they showed in undertaking this fresh engagement. The difficulties I feel are as to the mode in which it has been done, not as to the object for which it has been done; and I shall be very glad if the text of the Treaty will remove any of those difficulties. For my own part, there is nothing I should hear with greater pleasure from the noble Earl, whose answer I cannot anticipate, than that circumstances had arisen which prevented the consummation of this fresh engagement. If, however, the difficulties I feel are not removed by the text of the Treaty, and if the engage-

ment is one which is actually to be consummated, I can only express a further wish, in which I am sure your Lordships, whatever you may think of what I have said, will all agree with me—that wish is, that circumstances may never arise which will render it necessary for these engagements to be put in operation.

EARL GRANVILLE: My Lords, I have heard the speech of my noble and learned Friend (Lord Cairns) with a feeling of very great relief. I expected—and my expectations have certainly been justified—that he would speak with that reserve and fairness towards the Government on a great international question which he was likely to exhibit on such an occasion; but I knew also that, with regard to the particular form of the proposal, every possible objection to it would be exhausted by the ability and the skill of the noble and learned Lord, and I am much relieved at finding what those objections seem to be. The noble and learned Lord very fairly stated what course ought, in his judgment, to have been pursued by Her Majesty's Government. He said we should have entered into no engagement whatever, but have declared, without any menace to the belligerents, our determination to maintain the neutrality of Belgium. Now, I ventured the other day, with regard to the question of menace, to say that I believed the form in which we had put it was less menacing and less offensive to those Powers than any other way in which it could have been put. I will venture to explain my meaning. It is mainly a matter as to form, and not as to substance—because if there were a difference of substance I should own we had put ourselves in the wrong. It is sometimes useful to compare the action of nations and that of individuals, and very often the conduct of a high-spirited nation and of an honourable man is very much the same. I will suppose that one of your Lordships found two persons about to engage in a duel, and at once declared to them both the obligation he would feel under to strike the one who took an unfair part in that duel. I believe that would be regarded by both as an imputation upon their intentions, and might almost encourage them to do that which otherwise they would have thought wrong by being precluded from doing it by menace. But if, instead of that, the third person says

to each—"You say, as I have every reason to believe, you mean to fight without any unfair play whatever; but you express a suspicion that fair play will not be exhibited by the person with whom you are engaged in hostilities. If it is any pleasure to you that I should agree with you to strike your opponent if he begins unfair play, I will do so; but, mind, this is a bargain which I must offer to the other equally." I believe that exactly in proportion as they were confident of their own good faith and suspicious of the bad faith of their opponent they would accept, as France and Prussia have accepted, the proposal so made to them. The noble and learned Lord says we ought, without menace, to have told them what we were going to do, and then, he says, you should have strengthened yourselves by going to the other great Powers parties to the guarantee of 1839; and this, he says, would have strengthened our position. Now, the facts as they have happened show that the course which he suggests would not have been successful. I stated the other day that we had received the most friendly assurances from both Russia and Austria. Now, it is rather curious that we have since received from Austria her distinct readiness to agree to our proposal, supposing that France and Prussia do not object to sign the Treaty. So that with regard to Austria we have exactly secured the very promise and consent to our proposal which she would not have given to a single menace on our part. From Russia we have received the most friendly assurances; but there is certainly a disinclination on the part of Russia to accede to this proposal; because Russia considers, and says that the original Treaty binds them, and they would wish to have an understanding of a much wider description—on the merits of which I do not now say one word, one way or the other, but which understanding would certainly bring us under obligations we do not hold at this moment. Russia would, therefore, in the same manner, have refused simply and solely to join us in a single menace with regard to the neutrality of Belgium. These facts show that the course advocated by the noble and learned Lord would not have been the most judicious one. But then he says we put ourselves in a great difficulty if the case should arise. Now, I cannot help again point-

ing out to your Lordships that, being bound by the obligations of that Treaty, we must, if the contingency arises, act upon those obligations. We are not now in a position like that described by a Conservative Government, when we joined in a Treaty guaranteeing Luxemburg, and when, almost before the ink with which it was signed was dry, the Prime Minister and the Foreign Minister of this country announced, to the surprise of France and the indignation of Prussia, that we had signed it as a collective guarantee, and that as the co-operation of the other Powers was the only case in which the guarantee could possibly be brought into question, England had brought itself under no new obligation at all. I admit that there is this disadvantage about the present engagement, that if the contingency should arise—which God forbid!—and which I do not believe will arise—we should be obliged to act upon our engagements. Being, however, so obliged, I cannot conceive that it would not be an enormous advantage to have a Power with 500,000 or 600,000 soldiers co-operating with our Army and fleet. The noble and learned Lord has made a most ingenious supposition—one very much like a game of chess I have seen, where a very superior player tells his adversary he will force him again and again not to be checkmated, but to checkmate himself. I could hardly understand why the noble and learned Lord did not describe what the ingenious scheme was that should enable one belligerent to force the other to commit that particular outrage which would necessarily increase the forces of his enemy by the power, the wealth, and the public spirit of such a country as that to which we belong. I take it that if either army were driven by a defeat to the frontier of Belgium, and obliged for their own safety to seek shelter there, it would be no violation of neutrality, for if they submitted to be disarmed there would be absolutely no infraction of the neutrality which they had guaranteed. The noble and learned Lord says we might be driven into war by the action of either one or both the belligerents. Now, I think I have stated enough to show that even if either of them were not restrained by the fear of this country, the fear of this country joining with their enemy would certainly prevent them from taking a step of that



character. It is a case I should hardly have put had it not been suggested—though, I admit, in very courteous terms—by the noble and learned Lord to both those nations; but suppose, he says, both violate the neutrality, that absolves us from the obligations of the Treaty, and it then falls to the ground. It would certainly place us in one of the most awkward positions I could possibly conceive; but I really think that, right as it is to look with suspicion in the interests of our own country upon all possible designs of any other country, for us to fear that two Powers, after a solemn renewal of an engagement such as this, binding on the personal honour of the Emperor of the French and the King of Prussia, should, within a very few months, in the face of the whole world, desert such an engagement, requires too strong an effort of the imagination. I am quite sure, my Lords, that this Treaty, which has for its principal object the neutrality and independence of Belgium, is likely to be effectual, and will prevent the occurrence of that particular event which would be most disagreeable and most entangling to Great Britain. As to this instrument in the slightest degree weakening the effect of the previous Treaty of 1839, I entirely deny it. There is an express reservation of that Treaty; and, besides that, as I mentioned the other day, there is an exact precedent to this case. The seventh Article of the General Treaty of Paris, of March 30, 1856, between England, France, Austria, Italy, Prussia, and Russia, stipulates as follows—I am afraid I must read it in French, as I have no other copy by me—

“Leurs Majestés s’engagent, chacune de son côté, à respecter l’indépendance et l’intégrité territoriale de l’Empire Ottoman; garantissent en commun la stricte observation de cet engagement, et considèrent en conséquence tout acte de nature à y porter atteinte comme une question d’intérêt général.”

But a fortnight after this, without any event of importance having intervened, England, Austria, and France signed, on the 16th of April following a separate treaty, by the first Article of which—

“Les Hautes Parties contractantes garantissent solidairement entre elles l’indépendance et l’intégrité de l’Empire Ottoman conservés par le Traité conclu à Paris 30 Mars, 1856.”

This, I say, is a most complete precedent, and justifies us in saying that the Treaty now almost concluded does not in the

slightest degree weaken the guarantee, whatever that may be, which was given by the Treaty of 1839. There is one point on which I have heard some objection, though the good sense of the noble and learned Lord induced him, I presume, to reject it—which is that the way in which we have acted is a disrespect to Belgium and almost an infraction of her independence. Now, if so, I admit that it was done after consideration and advisedly. We thought that in the very delicate and difficult situation of so small a country between two such powerful belligerents, having once asserted her intention to maintain her neutrality and independence, and having received assurance from both parties that that neutrality and independence should not be violated, it was better for her not to put forward proposals, risking refusals from one or both of the belligerents—refusals which would not have signified to a great country like ours, but might be extremely awkward for a small country like Belgium. As soon as the negotiations had reached a certain point, I officially informed the Belgian Government of the course I had pursued and the character of what had been done. I further pointed out that in the draft Treaty I have avoided bringing in her name, but said they would understand that all was intended to be done in practical harmony with Belgium, that we should count upon her support, and that our sole object was the independence and neutrality of that country. Your Lordships will see that at all events the Belgian Government has felt no resentment at what has been done by the few eloquent words used by the King at the opening of the Belgian Chambers, and by the enthusiastic reception which those words met from all parties. I trust that this Treaty will not come into effect. I believe it will not. But as far as it has gone, and as far as the judgment of Her Majesty’s Government is concerned, we thought it the best manner of preventing that great difficulty which has excited so much alarm and anxiety both in this country and to foreign nations.

LORD CAIRNS: The noble Earl has not stated what progress has been made with the Treaty, and whether he can give its text.

EARL GRANVILLE: The Treaty with Prussia was signed by Count Bernstorff and myself yesterday, and I was also in-

formed yesterday by the French Ambassador that he had authority to sign as soon as the full powers arrived. I have not the slightest objection to read the text. Of course I read only one Treaty, as the other, *mutatis mutandis*, is identical with it—

“DRAFT OF TREATY BETWEEN ENGLAND AND  
“PRUSSIA RESPECTING BELGIUM.

“Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, being desirous at the present time of recording in a solemn act their fixed determination to maintain the independence and neutrality of Belgium, as provided in the VIIth Article of the Treaty signed at London on the 19th of April, 1839, between Belgium and the Netherlands, which Article was declared by the Quintuple Treaty of 1839 to be considered as having the same force and value as if textually inserted in the said Quintuple Treaty, their said Majesties have determined to conclude between themselves a separate Treaty, which, without impairing or invalidating the conditions of the said Quintuple Treaty, shall be subsidiary and accessory to it; and they have accordingly named as their Plenipotentiaries for that purpose, that is to say:—

“Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c.

“And His Majesty the King of Prussia, &c.

“Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

“Art. I. His Majesty the King of Prussia having declared that, notwithstanding the hostilities in which the North German Confederation is now engaged with France, it is his fixed determination to respect the neutrality of Belgium so long as the same shall be respected by France; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on her part, declares that if during the said hostilities the armies of France should violate that neutrality, she will be prepared to co-operate with His Prussian Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her naval and military forces to insure its observance; and to maintain, in conjunction with His Prussian Majesty, then and thereafter, the independence and neutrality of Belgium.

“It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in any of the general operations of the war now carried on between the North German Confederation and France beyond the limits of Belgium as defined in the Treaty between Belgium and the Netherlands of April 19, 1839.

“Art. II. His Majesty the King of Prussia agrees on his part, in the event provided for in the foregoing Article, to co-operate with Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, employing his naval and military forces for the purpose aforesaid; and, the case arising, to concert with Her Majesty the measures which shall be taken, separately or in common, to secure the neutrality and independence of Belgium.

*Earl Granville*

“Art. III. This Treaty shall be binding on the High Contracting Parties during the continuance of the present war between the North German Confederation and France, and for twelve months after the ratification of any Treaty of Peace concluded between those parties; and on the expiration of that time the independence and neutrality of Belgium will, so far as the High Contracting Parties are respectively concerned, continue to rest as heretofore on the Ist Article of the Quintuple Treaty of the 19th of April, 1839.

Art. IV. The present Treaty shall be ratified.”

VISCOUNT STRATFORD DE REDCLIFFE: I wish, my Lords, to say a few words upon this important subject—and few they must be, in the present most critical state of affairs, and when Parliament is on the very brink of Prorogation. My excuse for speaking at all at such a moment is the connection I have held during many years with questions like that which is now under consideration. As far as I can judge from hearing the text of the intended Treaty read casually, as one may say, by the noble Earl the Secretary of State for Foreign Affairs, care seems to have been taken to avoid any of the risks and embarrassments pointed out by my noble and learned Friend (Lord Cairns). It is not my intention to enter into the comparative merits of the plans adopted by Her Majesty's Government, and that which the noble and learned Lord would have preferred. What strikes me as manifest is that we are greatly indebted to the Government for the care they have taken to meet the requirements of the honour and interest of the country by redeeming the pledges which were given in the Treaty of April, 1839, at the same time that they have endeavoured to guard us from the danger of being eventually involved in the horrors and calamities of war. I must be allowed, however, to take a more comprehensive view of the matter. To anyone who looks beyond passing circumstances to the whole extent and results of the war, considerations may readily occur which it would be well to bear in mind. I cannot doubt that, while standing to our guarantee of Belgian independence and neutrality without prejudice to our desire of remaining at peace, it is the object of Her Majesty's Ministers no less than the feeling of the country that we should keep in our hands as far as possible the means of limiting the range and continuance of the war, and of tendering our mediation with good effect whenever



the opportunity occurs. Supposing that either of the two great parties now opposed to each other should obtain an ascendancy dangerous to the balance of power in Europe, and even to the very existence of some independent States, it would surely be desirable that our position should be such as to offer a limit to the excessive pretensions of victory. Now, I conceive, that with such purposes in view, Her Majesty's Government would have found it advantageous to communicate with Austria and Russia before they committed themselves to any decided course of proceeding. What, in fact, was their position with respect to the Treaty when all hopes of peace between the two opponents had ceased? There were five parties to the engagement which declared and guaranteed the neutrality of Belgium. Two of them—namely, France and Prussia—are belligerents; the other three—Great Britain, Austria, and Russia—are neutrals. Each belligerent gave formal assurance to Belgium that he would respect its neutrality, provided it were respected by the other. The King of the Belgians declared on his side that he would maintain his neutrality with all the force at his disposal. So far all was satisfactory. England and the other two neutral guarantees remained. Here I must confess that in my very humble opinion it would have been better, looking to the contingencies of war, if an attempt had been made to unite our own plain course of duty with that which seemed to devolve equally upon Austria and Russia. In this manner we might have kept clear of whatever risks and inconveniences may possibly arise in carrying out the new Treaty, and also, perhaps, have laid the foundation of a more complete understanding with both those Powers as to offers of mediation at any convenient juncture, and also as to the means of preserving Europe from any great and dangerous disturbance of its present settlement at the close of the war. It appears that there would have been little or no difficulty in making such an arrangement. Austria, we are told, has already consented to adopt the provisions of the Treaty; and Russia, although not yet quite up to the same mark, has shown, as I understand from the noble Earl opposite (Earl Granville), her good disposition in the matter. The proposal which I should have been glad to see

made to those Powers might have assumed a very simple form. Its terms need only have expressed a joint recognition of their duty to maintain the neutrality of Belgium in every fitting emergency, to the full extent of their available means. Such a declaration could not possibly have given any offence—certainly, no just offence—to either of the belligerents, for it would have been nothing more than the complement of what they had themselves declared, in virtue of those long-standing engagements to which both they and the neutral signatories of the London Treaty were parties. Other neutral Powers of less magnitude might, in due season, have rallied round this point of union, and helped to give motives of moderation to that belligerent whose eventual triumph in arms might naturally enough suggest extravagant conditions of peace. In submitting these impressions to your Lordships, I beg to disclaim all intention of casting blame upon Her Majesty's Government. The view which I have taken of the question may be altogether erroneous; but I thought that, as Parliament was to be immediately prorogued, it might not be unseasonable for those who have been personally conversant with matters of this kind to express an opinion in public, and I trust, my Lords, that you will kindly forgive this brief intrusion upon your time.

EARL GRANVILLE: I only wish to say one word on my noble Friend's remarks. Her Majesty's Government did communicate the proposal both to the Russian and Austrian Ambassadors within an hour after it was made to France and Prussia.

THE DUKE OF CLEVELAND: I confess that when I heard of this Treaty I had a very great objection to it, for it seemed to me that the Treaty, though limited in duration, cast some slur upon the Treaty of 1839; but now, having heard the explanations of my noble Friend at the head of the Foreign Office, my objection is not so strong as it was at first. I thought, with others, it was desirable that the Government should make it known that it was their express determination to maintain the Treaty of 1839, which is still binding on this and other countries. But in my opinion it is desirable to have some instrument defining our obligations with more distinctness than the Treaty of 1839, as doubts

have more than once been entertained as to the precise nature of those obligations, and we shall be thrown back upon that Treaty when the term of the present Treaty expires. Some doubt may in future arise as to the mode in which the Treaty is really operative, and I should have preferred some instrument of a permanent character, respecting which no doubts could arise—a Treaty entered into by the same great Powers, including the belligerents. I am, of course, not acquainted with the negotiations which have taken place. Austria has signified her intention to stand by her obligations; but I do not know what Russia will do. Perhaps she thinks the Treaty of 1839 sufficiently binding; and the other signatory Powers will probably entertain the same opinion. If any new instrument were necessary, it should have been merely a defining and declaratory one; and I agree with the noble Viscount that efforts should have been made to obtain the adhesion of other neutral Powers. I sincerely hope Her Majesty's Government have not tied their hands by entering into this fresh Treaty; for, if such is the case, their course of action will be limited, should any future necessity for action arise. It is difficult to define, in an engagement like the present, how far our obligations extend, and to what mode of action we were bound. It is not for us to incur any fresh obligations; while, at the same time, it is not for us to say that we have no interest in any part of the Continent, especially as regards the support of the smaller and neutral Powers. It is of great importance to us, politically as well as commercially, that Belgium and Holland should be maintained as independent Powers, and that two important Empires like France and Germany should not be entirely coterminous. I do not apprehend any danger on this head, especially now that the honour of two great countries is pledged. The Government have acted wisely in providing for the security of Belgium, though, as I have said, a different course might have offered a better permanent security, which in these times of change it would have been desirable to obtain. I wish to take this opportunity of expressing my satisfaction that the Government have not altered the existing law with regard to munitions of war. It would have been a very injudicious

act, and one which would have created much rancour in France, to interfere with the export of coal, which though *ancipitis usus*, is an article of commerce between the two countries.

THE EARL OF SHAFTESBURY: Surely the Session ought not to close without an expression of thanks to Her Majesty's Government for the dignified and patriotic course they have pursued in this great and trying emergency. Perhaps I am not in a position to be the person to come forward to tender those thanks; but my feeling is so very strong that it overcomes my prudence. I cannot but come forward and say how deeply grateful I feel for the course they have taken in the face of such great dangers. I may add an expression of my hope and of my firm belief that the people of this country will sustain the Government in a course that is essential to the discharge of their duty to the interests and to the safety of the British Empire.

LORD REDESDALE thought that England should not have entered into any separate engagement, but should have adhered to the Treaty of 1839, unless assured that the former would be accepted by all the parties to the latter. In case of a violation of the neutrality of Belgium he did not see how they were to act, for they had no force there, and were debarred from exercising any force elsewhere.

EARL GRANVILLE: We are not debarred.

LORD REDESDALE understood they were bound to act within the territory of Belgium.

EARL GRANVILLE: No.

LORD REDESDALE urged that it would be extremely awkward if they had to take action without the full co-operation of Russia, as he feared would be the case.

LORD DENMAN hoped the Government, instead of arranging for a triangular duel, would do their utmost to restore peace. There was no passage in history which he more admired than the great scheme of Henry the Great, by which a police of all nations might have been established to prevent war. He hoped that directly the least appearance of equality appeared, that an armistice might be established; and there had never been a juncture at which agreement could more easily be obtained with



justice to all parties, so far as the true object of an Œcumenical Council was attainable.

PROROGATION OF THE PARLIAMENT.  
HER MAJESTY'S SPEECH.

The LORD CHANCELLOR then acquainted the House that Her Majesty had been pleased to grant two several Commissions:—And The LORDS COMMISSIONERS—namely, The LORD CHANCELLOR; The LORD PRIVY SEAL (The Viscount Halifax); The EARL OF KIMBERLEY (Secretary of State for the Colonies); The MARQUESS OF NORMANBY; and The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount Sydney) — being in their Robes, and seated on a Form between the Throne and the Woolsack; and the COMMONS being come, with their Speaker, and the Commission to that purpose being read, the ROYAL ASSENT was given to several Bills.

Then THE LORD CHANCELLOR delivered HER MAJESTY'S SPEECH as follows:—

*"My Lords, and Gentlemen,*

"THE state of public business enables me to release you from your attendance in Parliament.

"I continue to receive from all Foreign Powers assurances of goodwill and friendship; but I have witnessed with grief and pain, on domestic as well as public grounds, the recent outbreak of war between two powerful nations, both of them allied with this country.

"My best exertions had been used to avert this great calamity.

"I shall now direct a constant and anxious attention to the strict observance of the duties and the maintenance of the rights of neutrality.

"I have cheerfully assented to the measure, matured by your wisdom, to enlarge the power of the Executive, not only for the discharge of international duties, but for the prevention of acts which, in times of war, might

be injurious to the interests of the country.

"I shall make every fitting endeavour to check the operation of causes which might lead towards enlarging the area of the present conflict, and to contribute, if opportunity shall be afforded me, to the restoration of an early and honourable peace.

"I have tendered to the two Belligerent Powers Treaties identical in form to give additional security to Belgium against the hazards of a war waged upon her frontiers. This Treaty has been signed by Count Bernstorff on the part of the North German Confederation, and the French Ambassador has signified that he has authority to sign the corresponding instrument as soon as his full powers arrive. Other Powers, which were parties to the Treaty of 1839, have been invited to accede, if they should think fit, to this engagement.

"The shocking murders recently perpetrated in Greece produced a painful impression throughout Europe, and have drawn attention to serious evils existing in that country. My unremitting efforts will be directed to securing the complete and searching character of the inquiry which has been instituted.

*"Gentlemen of the House of Commons,*

"I thank you for the liberal provision which was made by you for the ordinary service of the year, and for the additional supplies of men and money which you have voted in view of the altered state of things on the Continent of Europe.

"The condition of the Revenue gives ground for the hope that it may be able to meet the new charge which

has been created, without reversing the proper balance of income and expenditure.

*“ My Lords, and Gentlemen,*

“ In regard to domestic legislation, I may fitly congratulate you on the close of a Session, marked by an assiduous devotion to labours of the utmost national importance.

“ The temporary Act for the Repression of Agrarian Crime, and the maintenance of Order in Ireland, has, up to the present time, answered the purposes for which it was passed.

“ From the Act for regulating the occupation and ownership of land, I anticipate the gradual establishment both of harmonious relations between owners and occupiers of land, and of general confidence in the provisions and administration of the law, and in the just and benevolent intentions of the Legislature.

“ In consequence of the efforts which have been made in matters of capital moment, to remove from the Statute Book whatever might seem inequitable to Ireland, I trust that the discharge of the first duty of Government in providing for the security of life and property will become more easy ; and I shall rely with confidence upon the loyalty and affection of my Irish subjects.

“ It has given me pleasure to concur with you in the passage of the important law providing for National Education in England. I perceive in it a new guarantee for the moral and social well-being of the Nation, and for its prosperity and power.

“ The Naturalization Act, and the Act for the Extradition of Criminals,

will tend to confirm our friendly relations with Foreign Powers.

“ The Act which regulates enlistment for a shortened term of service in the ranks of the Army will, I trust, tend to increase the efficiency of the force, to promote the welfare of the soldier, and to provide for the Nation a reserve of men well trained to arms, and ready in any case of emergency to return to the standards.

“ I bid you farewell for the recess, with the earnest prayer that when you are again summoned to your duties I may be enabled to rejoice with you in the re-establishment of Peace on the Continent of Europe.”

Then a Commission for proroguing Parliament was read.

After which,

THE LORD CHANCELLOR said—

*My Lords, and Gentlemen,*

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to Thursday the 27th day of October next, to be then here holden ; and this Parliament is accordingly prorogued to Thursday the 27th day of October next.

## HOUSE OF COMMONS,

*Wednesday, 10th August, 1870.*

MINUTES.]—NEW WRIT ISSUED—*For Dublin City, v. Sir Arthur Edward Guinness, baronet, void Election.*

The House met at half after Twelve of the clock.

ARMY—FORTIFICATION OF FALMOUTH.  
QUESTION.

MR. EASTWICK said, he would beg to ask the Secretary of State for War,



Whether he has any objections to state the reasons why a plan for fortifying Falmouth, which has been for some years deposited in the War Office, has not been carried out.

MR. CARDWELL: I am informed, Sir, by the Inspector General of Fortifications that the last time the defences of Falmouth were reported upon was by a joint Naval and Military Committee in 1858. They proposed no addition to the then existing works and armaments, which they considered sufficient for its defence as a commercial port. They made some observations to the effect that, if it were considered necessary to protect Falmouth from being seized by an enemy with a view to military operations in that locality, additional defences would be necessary. They made, however, no specific proposal. Immediately afterwards the great fortifications at Plymouth were determined upon, and their execution commenced.

#### CIVIL SERVICE ESTIMATES.

##### QUESTION.

MR. CANDLISH said, he wished to ask the Secretary to the Treasury, When a Return, ordered by the House last Session, showing the increase in the Civil Service Estimates and Civil Service Expenditure since 1853, and the causes of such increase, will be ready and in the hands of Members?

MR. STANSFELD said, the Return to which his hon. Friend referred had been prepared with great care and labour, and he had no doubt would prove most interesting and useful to the Members of that House. It was now in the hands of the printer, and would shortly be distributed. He might generally indicate the nature of that Return. The excess on the Civil Service Estimates since 1853 had yesterday been stated at £5,019,540. Now, it was very desirable that hon. Members should know what was the meaning of that statement. He was not speaking without book when he said that a very large portion of that increase would be found capable of complete and satisfactory explanation; and the House ought to be grateful to those members of the Civil Service who had bestowed great labour on what he believed would prove a very correct and exhaustive account. The Civil Service Estimates had increased during

the period referred to from a variety of causes. In the first instance, the transfers from the Consolidated Fund had, since that date, been to the amount of nearly £1,000,000. The House was also aware that a new and more distinctive form of Estimate had been obtained of late years. If his hon. Friend would compare the Estimates for the year 1854 with those of 1869-70, the net results would rather surprise him. In 1869-70 the net increase in the expenditure, as compared with 1853-4, was not £5,019,000 but £3,467,000. In Class 2 there had been an increase of £262,000, of which £150,000 had been for stationery and printing—a portion of that £150,000 being in relief of some other classes, the expenditure having formerly been paid from various Votes. In Class 3—Law and Justice—there had been a very large increase of expenditure, an increase of no less than £1,241,000. In Class 4—Education—there had been a net increase, which he expected would be still further augmented, of £758,000. In Class 5, for Diplomatic and Consular Services, there had been an increase of £114,000. Superannuations had also increased by £138,000. Turning to the Revenue Department, there had been a decrease of £200,000 in the Customs and Inland Revenue, and an increase of £1,100,000 upon the Post Office Administration, making a net increase of expenditure in the Revenue Department of £954,000. These various sums made up the actual excess of £3,467,000.

#### ZANZIBAR—LIBERATED SLAVES.

##### QUESTION.

MR. KINNAIRD said, he wished to ask the Under Secretary of State for Foreign Affairs, On what grounds the Committee on the East African Slave Trade have recommended Zanzibar as a suitable place for locating liberated slaves to be employed as free labourers, and whose authority weighed with them in making such a recommendation; and when the Report of the joint Committee would be presented to Parliament?

MR. OTWAY said, in reply, that the Committee had recommended Zanzibar as a suitable place for locating liberated slaves—first, on account of the central position which it occupied, and secondly, because of the great and increasing demand for labour there, freedmen being

able to earn very good wages. The recommendation was made principally upon the advice of Mr. Churchill, Her Majesty's political agent at Zanzibar. The Report of the joint Committee would be laid upon the Table; but hon. Members would see that for obvious reasons it would be very difficult to circulate copies for some time to come.

#### NAVY—DEPTFORD DOCKYARD.

##### QUESTION.

MR. EYKYN said, he would beg to ask the First Lord of the Admiralty Questions of which he had given him private Notice, concerning two points as to which he feared that considerable misapprehension still existed in the public mind. He wished to know, Whether there is any truth in a report, which has obtained very general circulation, that the Government, since the sale of Deptford Dockyard, have entertained the idea of repurchasing the whole, or some portion of it; also, whether the First Lord of the Admiralty will make such a statement as will relieve the Solicitor of the Admiralty from imputations attempted to be cast upon him with reference to negotiations for the sale of that Dockyard?

MR. CHILDERS: Sir, in replying to the two Questions of which my hon. Friend has been good enough to give me private Notice, I beg to say that there is no foundation whatever for the report to which he alludes, that the Government since the sale of Deptford Dockyard ever entertained the idea of repurchasing any portion of it. The sale was practically completed some time ago; the actual completion has merely been deferred, in consequence of a question as to title having arisen between the Admiralty Department and the Department of Woods and Works; but we have never dreamt of cancelling the sale, or buying back any part of the land. The second Question of my hon. Friend is whether I will make such a statement as will relieve the Solicitor to the Admiralty from imputations attempted to be cast upon him with reference to the negotiations for the sale of the dockyard. My hon. Friend and Colleague the Secretary to the Admiralty some time ago went very minutely into the matter, stated how the sale was conducted, and showed conclusively to the House that the Solicitor to the Admiralty had

nothing to do with it. Unfortunately, the other day—I hope in the heat of the moment, and without previous intention—my hon. Friend the Member for Portsmouth (Sir James Elphinstone), without any Notice, charged the Solicitor to the Admiralty with being the brother-in-law of the purchaser, and with having connived at or with having had some share in the purchase. I said at the time, and I repeat now, that there is not the smallest foundation for that allegation. The purchaser of Deptford Dockyard is no relative whatever of the Solicitor to the Admiralty; the operations connected with the sale of the dockyard were conducted without the privity of the Solicitor to the Admiralty. The actual negotiations for the sale were conducted by an auctioneer in the City acting as agent for the Admiralty, and the Solicitor to the Admiralty neither directly nor indirectly had anything to do with it. I may add, that until some time ago, when the purchaser of the dockyard, in connection with another transaction, came to the Solicitor's office to sign a deed of guarantee, the Solicitor to the Admiralty and the purchaser did not even know each other.

#### IRELAND—DUBLIN CITY WRIT.

##### NEW WRIT ISSUED.

*Moved*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Edward Guinness, baronet, whose Election has been determined to be void.—(Mr. Noel.)

MR. VANCE said, he was glad the House was about to do a tardy act of justice in granting the second Member—so long and so unjustly withheld—to the City of Dublin, a constituency which he himself had represented for many years. The circumstances connected with the present Motion showed that the House ought to receive with great caution the Reports both of Judges and Commissioners with regard to contested elections; for, although both Judge and Commissioners reported, with regard to this constituency, that corrupt practices had extensively prevailed among the freemen electors, the House, after long and careful consideration of the circumstances, in its wisdom determined that the constituency ought not to be disfranchised. He once more congratulated

*Mr. O'way*



the House upon the issue, even thus tardily, of the Writ for the City of Dublin.

*Motion agreed to.*

New Writ for Dublin City,—*in the room of Sir Arthur Edward Guinness, baronet, void Election.*

#### THE WELLINGTON MONUMENT.

##### MOTION FOR CORRESPONDENCE.

MR. NEWDEGATE, in rising to call the attention of the House to the Correspondence relating to the Wellington Monument in St. Paul's Cathedral, and to move a Resolution on the subject, said, the circumstances of the present time naturally directed the attention of the country to anything connected with the memory of the late Duke of Wellington, who, after having proved himself the foremost general of his age, afterwards, during the remainder of his life for 35 years and more, was the great conservator of peace. It was not until the Duke of Wellington was laid in his grave that the Crimean War broke out. The monument which that House had voted to the Duke did not stand in its due position in St. Paul's Cathedral, and it was natural that there should be impatience in the public mind at a circumstance so strange. The Papers relating to the monument, although ordered to be printed on the 22nd of July, were not accessible to Members of the House even yesterday. He did not wish to throw blame on any particular Department, or any particular individual, for the delay that had taken place in the erection of the monument; but if he moved a Resolution, it would be to the effect that the correspondence laid on the Table of the House did not furnish sufficient data to warrant the House in expressing any opinion whatever upon the circumstances of the case. It was within his knowledge that on the 6th of August a memorial was presented to the Prime Minister by the sculptor employed, Mr. Stevens, stating his side of the case, which did not appear fairly in the documents submitted to the House; and, as the First Commissioner of Works had informed the House that legal proceedings were about to be instituted against that gentleman and against Mr. Penrose, the surveyor of St. Paul's, he (Mr. Newdegate), in the cause of justice and according to the practice of the

House, when judicial proceedings were pending, trusted that the House would decline to express any opinion, in order that the case might not be prejudiced in the public mind, or before the Courts of Law. He had taken up this matter simply in the cause of justice. This much was now known. Mr. Stevens was desired to supply plans for a monument which should cost £20,000; but he was afterwards induced by the then head of the Board of Works to attempt to erect that monument for £14,000. Nor was that all, for the Board of Works required him to erect a full-sized model of the monument at an additional cost of £4,000, a great part of which came out of his pocket. Mr. Stevens, however, actuated by a feeling of honour toward his brother artists, whom he had surpassed in the competition for a plan of a monument specified to cost £20,000, and, perhaps, by other feelings, rather than mar the effect of the monument, resolved to carry out the work even to some extent at his own cost. He (Mr. Newdegate) was credibly informed that Mr. Stevens had already spent £2,000 of his own money on the monument; and, to obtain this money, had been obliged to take other orders, which accounted, in a great degree, for the delay; but it was clear, from the Papers before the House, that the Board of Works had lost six years before they finally directed Mr. Stevens to commence the work. He begged to move for the Correspondence.

*Motion made, and Question proposed,*

"That the Correspondence with respect to the Wellington Monument, as laid upon the Table of this House, does not furnish sufficient data whereby this House can form an opinion upon the circumstances of the case."—(Mr. Newdegate.)

MR. AYRTON said, the hon. Member would probably have done more wisely if he had adhered to the rule he had prescribed when he commenced his remarks—namely, that nothing should be said to prejudice the case of Mr. Stevens; but, instead of saying nothing on the subject-matter in dispute, the hon. Member had invited him to state the case of the Government against Mr. Stevens in answer to his remarks. He would be more generous to Mr. Stevens than the hon. Member, and, instead of following the hon. Gentleman's remarks, would content himself with referring to the Papers on the Table. From these

it would be seen that the hon. Member was in error in almost every observation that he had made. Any hon. Member who chose to read the letters printed in pages 1 and 3 would see how entirely the hon. Gentleman had been misled. He was afraid the hon. Member could not have read the Papers to which he referred, or he would not have made the remarks he had done. The hon. Member thought that this correspondence did not furnish all the information necessary to enable the House to understand the responsibilities of Mr. Stevens to the Crown. The Papers, as far as they went, contained the most accurate information on the subject. The hon. Member had not hinted that any Paper had been kept back, but had informed the House that the Papers laid on the Table came down only to the 23rd of July, whereas Mr. Stevens had drawn up a memorial in the beginning of August which he desired to have added. There would not be the slightest objection to lay that Paper on the Table, and also the letters of Mr. Penrose, which would give all the information up to the present hour. But that would not, in the slightest degree, support the Resolution which the hon. Member had moved, suggesting that the correspondence was imperfect, because the circumstances to which he alluded had all occurred since these Papers had been laid on the Table. If the hon. Member, therefore, would withdraw his Resolution, and move that the further letters of Mr. Penrose and Mr. Stevens be laid on the Table, he had not the slightest objection to offer. But that, of course, would not interfere with the proceedings which were necessary to establish the rights of the Crown.

MR. NEWDEGATE said, he would be satisfied with that course if all the documents connected with the subject would be submitted to the House.

MR. AYRTON said, if the hon. Member wished for the anterior documents which had passed between the First Commissioner and Mr. Penrose and Mr. Stevens he was quite at liberty to move for their production also.

Motion, by leave, *withdrawn*.

Copy ordered, "of all further Correspondence relative to the Wellington Monument between Mr. Penrose or Mr. Stevens with any Department of Her Majesty's Government up to the present time."—(*Mr. Newdegate.*)

*Mr. Ayrton*

## NEUTRALITY OF BELGIUM.

### OBSERVATIONS.

MR. GLADSTONE: As I understand, Sir, that during my absence in the discharge of other duties yesterday a desire was expressed by some hon. Gentlemen to make observations upon the recent proceedings of Her Majesty's Government with respect to affairs abroad, I think it is desirable that the House should be in possession of the facts up to the present time—that is to say, precisely as they will presently receive them in the Speech from the Throne. I therefore wish to mention that the Treaty proposed by Her Majesty's Government to the belligerent Powers has been actually signed by Count Bernstorff on the part of the North German Confederation, as well as by Earl Granville on the part of Her Majesty's Government, and also that M. de Lavalette, the Ambassador of the Emperor of the French at this Court, has, in a letter dated yesterday, stated that he is now in a position to announce to Earl Granville that he is authorized by the Government of the Emperor to adhere to the Treaty proposed by the British Government, for the more effective guarantee of the neutrality of Belgium. He adds, I shall sign the Treaty as soon as I shall receive the full powers which I expect for that purpose. With regard to the instrument itself, perhaps it would be convenient for the better understanding of what has been done that I should simply read the principal articles, omitting, for the sake of clearness, the ordinary preamble. The first Article is this—

"His Majesty the Emperor of the French having declared that, notwithstanding the hostilities in which France is now engaged with the North German Confederation, it is his fixed determination to respect the neutrality of Belgium so long as the same shall be respected by the North German Confederation; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on her part, declares that if during the said hostilities the armies of the North German Confederation should violate that neutrality, she will be prepared to co-operate with His Imperial Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her naval and military forces to insure its observance; and to maintain, in conjunction with His Imperial Majesty, then and thereafter, the independence and neutrality of Belgium. It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in



any of the general operations of the war now carried on between France and the North German Confederation beyond the limits of Belgium, as defined in the Treaty between Belgium and the Netherlands of April 19, 1839."

The second Article is this—

"His Majesty the Emperor of the French agrees, on his part, in the event provided for in the foregoing Article, to co-operate with Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, employing his naval and military forces for the purpose aforesaid, and, the case arising, to concert with Her Majesty the measures which shall be taken separately or in common to secure the neutrality and independence of Belgium."

The third Article is this—

"This Treaty shall be binding on the High Contracting Parties during the continuance of the present war between France and the North German Confederation, and for twelve months after the ratification of any Treaty of Peace concluded between those parties; and, on the expiration of that time, the independence and neutrality of Belgium will, so far as the high contracting parties respectively are concerned, continue to rest as heretofore on the first Article of the Quintuple Treaty of the 19th of April, 1839."

Sir, such is the Treaty which we have proposed to the belligerent Powers, *mutatis mutandis*. There is some correspondence on the subject; but I think the reading of the principal Articles will give the House all the information that is necessary.

MR. OSBORNE: I do not know whether it is competent to any Member to make remarks on this extraordinary document. I will only say that there never has been a more extraordinary document, or a more extraordinary manner of producing such a document on a great crisis like this in the history of the British House of Commons. Now, we have had recently so many strange revelations of diplomatic proceedings that I have myself lost all faith in diplomacy. Indeed, Sir, I am very much inclined to think that if our other weapons are not in better order we are very badly off, as the weapons of our diplomatists are not remarkable as arms of precision. For what a Treaty is this! For my own part I would sooner have no Treaty at all, because I think this Treaty involves hidden dangers which nobody can foresee. In the first place, this Treaty is entirely superfluous if the Treaty of 1839 is worth anything at all. In the eyes of Austria and Russia that Treaty of 1839 is entirely superseded by this. You have struck a blow at that Treaty, which you can

never put in the same position again. Where is the article? Now, do look as men of common sense, and not as versed in diplomacy—

MR. GLADSTONE: The observation of the hon. Member causes me to think that I must have given the third Article somewhat imperfectly. The third Article contains these words—

"This Treaty shall be binding on the high contracting parties during the continuance of the present war between France and the North German Confederation, and for twelve months after the ratification of any Treaty of Peace concluded between those parties; and, on the expiration of that time, the independence and neutrality of Belgium will, so far as the high contracting parties respectively are concerned, continue to rest as heretofore on the first Article of the Quintuple Treaty of the 19th of April, 1839."

MR. OSBORNE: Well, if either belligerent violates the neutrality of Belgium, England binds herself to co-operate with the other to repel the invader, but not to take part in the general operations of the war. Was there ever such a stipulation as that? Her Majesty's Government appear to think that you can conduct the operations of war, if Belgium is attacked, on the homœopathic principle. Do you think that if any power should violate the neutrality of Belgium they will not strike at the most vulnerable point; and do you propose to tie up your hands by saying that you will not strike at the most vital part of the enemy? This does appear to me the most extraordinary instrument in the whole history of diplomacy. If I were a member of the numerous party which consists of the seven wise men we saw the other night, I should resist this Treaty on those grounds. I think it increases the present dangers; and now Parliament is about to separate, here is an instance of what we call secret diplomacy! Would it not be much better and safer for this country if we had known before what the Articles of this Treaty were—if, in fact, they had been laid upon the Table of this House? I am sure if it had been brought before the House as a substantive Motion, the House would not have assented to such a Treaty being signed. I will not go into the reasons for preserving the neutrality of Belgium. Like my hon. Friend below me (Mr. Taylor), I am as much against war as any man; but circumstances may occur in which it may be necessary for this country to undertake war, in order to maintain not

only our honour, but our liberties. How will this Treaty do that? If, as may happen, this conjecture should arise; if both of the contending parties should enter Belgium, what, then, becomes of your Treaty? It may be a necessity of their position; and your Treaty would be useless, although, no doubt, these two Powers, being now engaged in a life and death struggle, may be ready enough to sign anything to keep you quiet. I wish to say a words about this Belgian question, as I do not wish to be misunderstood. There appears to be a party in this country who, overlooking the situation of Belgium and Antwerp and the long seaboard of that country, think it is a matter of indifference to us to whom Belgium belongs, and that we should take no step to maintain its neutrality and independence. Have these people ever pictured to themselves that if Belgium were in the hands of a hostile Power, the liberties and the position of this country would not be worth 24 hours' purchase? And is it not better to regard Belgium as an outwork of our own liberties and independence than to take a narrow view and say we will not go to war for any purpose whatever? It is because I hold that not only our honour, but our interests are concerned, that I would support the Government in maintaining the Treaty of 1839. But by the course they have pursued in laying this childish perpetration of diplomatic folly before us, I think they are absolutely imperilling the independence of Belgium and placing England in a very inferior position.

MR. WHITE: I move that the House be now prorogued.

MR. BUXTON: I think, Sir, that the speech of the hon. Gentleman who has just sat down (Mr. Osborne) does not at all express the feelings of the people of this country. I believe their universal feeling will be one of gratitude to the Government for taking a course which, above all others, is calculated to preserve peace.

SIR HENRY LYTTON BULWER: I am glad, Sir, to see the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) in his place, for I think that opposition is the salt of politics, and that any speech of my right hon. Friend at the head of the Government has always more flavour when seasoned by a speech from my right

hon. Friend opposite. However, if the salt has not yet come from the quarter opposite, it has come from that behind me. Sir, I agree with some of the observations of my hon. Friend the Member for Waterford (Mr. Osborne); but I agree also with some that fell from the hon. Member for East Surrey (Mr. Buxton). The object of this country and every country should be peace; but when war is necessary, I am not, as my hon. Friend said, for a war on homœopathic principles. Neither is war a thing that can be limited or restrained. "It slips"—to use a phrase now historical—"through one's fingers;" and if our soldiers were being shot down by Chassepôts on shore, I doubt whether our sailors would preserve strict neutrality on the ocean. But let me point out that which I did not myself know until the new Treaty was just read to us. It merely engages us to defend the soil of Belgium—this is true—but it does not engage us *not* to do anything more. In all other respects we are as free as if it had never been signed, and this refutes many of the arguments which ought otherwise to have been urged against it. I will not deny that it is still open to objections. But, in great affairs we must look at great effects and overlook minor questions of doubt and controversy. The main effect to produce at the moment when this Treaty was entered into was to convince Europe and the world that we were keenly alive to our honour and were determined to stand by our engagements. That effect this Treaty did produce, and therefore, without being critical as to its provisions, I think it entitles Her Majesty's Government to the thanks of its friends and the confidence of the country. But events pass so rapidly in these telegraphic times that our care at this moment need not be so much to preserve Belgium from France, as to preserve France from the consequences of the rash enterprize into which it so heedlessly and so needlessly entered. And this, Sir, seems to me the moment when I may say that we are not wholly to forget that the Ruler of that country—whatever his faults, wrong, I grant you, in provoking this disastrous conflict—has been, nevertheless, for many years our firm and friendly ally, that he has stood by our side on the field of battle, that he has sat by our side in the great Councils of Europe, and that dur-



ing his reign France and England have lived in closer terms of amity and intimacy than at any former period. I say this, because, as I never worshipped him in his prosperity, I can respect him in his adversity. But, apart from all questions of persons—whoever may rule over a neighbouring people—let us not forget that the land which is now, *not unjustly*, menaced by the sword of an invader, is the land to whose graceful civilization Europe is so much indebted. Thus, Sir, whilst it is far from my wish or advice that we should intermeddle inopportunistly in this quarrel, I cannot help saying that if an occasion should arrive, at which, with the consent of both parties, my right hon. Friend at the head of Her Majesty's Government should be able, by a friendly mediation, to arrest the horrors of war in a country so eminent in the arts of peace, and save from the still greater horrors of tumult and revolution a capital that is the pride and ornament of the whole world, he will achieve a task as glorious as any that ever illustrated a Minister of England.

MR. WHITE: It is not often that I venture to say anything in praise of the Government, because they ordinarily receive plenty of praise from hon. Members sitting behind them; but as an independent Member, sitting below the Gangway, I must say I think this is a proposition in respect to which, as an economist, I ought to express my heartfelt gratitude for the course which the Government have taken. Even if there had been no Treaty of 1831 or of 1839, I hold that it would have been the duty of England to sustain the neutrality and independence of Belgium. Anyone with even a superficial knowledge of political events could not but feel sure the absorption by France of that model and, I must say, beloved kingdom—because, from the admirable manner in which it is governed, it appeals to our best and warmest feelings—must cause an annual addition of £10,000,000 to our War Estimates; and even then we should be in perpetual apprehension as long as a neighbouring nation was living under the personal rule of any one man. I deeply regret that the right hon. Gentleman (Sir Henry Lytton Bulwer) who spoke last has made the remarks he did, with reference to our Government interfering with the object of bringing about peace between the combatants. I think that

this is a very grave matter; and, although a friendly mediation may, sooner or later, be acceptable, I doubt whether it would be wise to proffer or tender it until it is asked for. The right hon. Gentleman has said that France has been our consistent and hearty ally for some years; and this provokes a remark which I should not otherwise have made. Now, it must be recollected that there is also something to be set down on the other side of the account. It was through France that we engaged in the Crimean War—[“No, no!”]—it was for French interests that we embarked in the Russian War—it was, undoubtedly, for the sustentation of the Napoleonic dynasty that we were led into it. Again, who was it that instigated the British Government so insidiously and persistently to acknowledge the independence of the Southern States of America? Was it not the Monarch who was so much lauded by the right hon. Gentleman? May I remind the right hon. Gentleman that it was the same Monarch that projected the Mexican Expedition, in which we were at first allied; and it was only when we saw the personal ends which he had in view that we retired, and retired with honour, from that disastrous expedition. I only mention this because, while I feel that it is very desirable we should have amicable relations with foreign potentates, yet I think it is possible to be too intimate with them, and I do not wish that we should be so very intimate as to be thereby led into future entanglements. As to the course which the Government has adopted, I think it is wise, prudent, and circumspect to a degree for which it deserves the highest praise, expressly limiting, as it does, the operation of this Supplementary Treaty, as I may call it, to the attainment of the object this country has in view, and I firmly believe it will secure the independence and neutrality of Belgium. The hon. Member for Waterford (Mr. Osborne) asks how it will be if it should happen that both of the belligerents should violate the neutrality of Belgium. Now, it is but justice to say that the Belgians have had no apprehension whatever from Prussia; in all the diplomatic correspondence which has passed there is no reference to Prussia as a Power from which Belgium has hitherto had any cause to fear. The Belgian lamb has only been—alas, too often—

frightened by the French wolf. No instance whatever can you find in which any allusion is officially made to the aggrandizement of Prussia at the expense of Belgium. There were apprehensions in many quarters that the British Government would not rise to the height of the occasion. I rejoice it has risen to the full height of the present emergency, and I confidently rely that it will secure the object this country has at heart—namely, the neutrality and independence of Belgium. I do not belong to that party which thinks England has but one duty, and that is to take care only of herself. I deny that such an exclusive and selfish policy would even effect what is wished by those who advocate it. I hold, and I believe the Government rightly recognizes, with Edmund Burke, that to a people who have once been proud and great, and great because they were proud, the decay of national spirit would be the most terrible of all revolutions.

COLONEL BARTELOTT: Sir, I must express my opinion that anyone speaking in the House of Commons now ought be careful of what he says; and I think it a very foolish thing to do what my hon. Friend the Member for Brighton (Mr. White) has just done—to go into matters which are much better left alone. I am perfectly satisfied that the English nation sympathizes with both belligerents. I am sure it is sorry they have gone to war, and that it hopes England may be kept out of hostilities. There was one subject on which this country did feel anxiety—I mean the subject of Belgium. The First Minister of the Crown, in his wisdom, did not think it right to give us such an explanation as would reassure the mind of the country; but since that time he has reconsidered the point—[Mr. GLADSTONE: “No.”]—and we now know that we are going to act on Treaties we entered into, and that we intend to maintain the neutrality of Belgium. I will not allude to the new Treaty now on the Table of the House, further than to say that I think it would have been better to adhere to the Treaty of 1839. I think if the Government had stated boldly that we adhered to the Treaty of 1839, and intended to maintain the neutrality of Belgium, that would have been sufficient. The country would have known what was meant by that, and would have been

ready and willing to fulfil its obligations. All I hope now is, that we shall not be called on to go to war for Belgium. I trust the neutrality of that kingdom will be preserved, and that the war between France and Prussia will soon be at an end. If the First Minister of the Crown should have any hand in putting an end to it, we shall meet him here with great pleasure next Session.

MR. SOMERSET BEAUMONT: I should like, Sir, to know whether Belgium herself approves this Treaty; and whether Austria and Russia have given their consent to this preliminary Treaty, and if not, in what position we shall find ourselves as regards the other neutral Powers joined in the guarantee of 1839? I feel myself unable to give an opinion on this Supplemental Treaty. It would require stronger arguments than we have heard to-day to prove that the Treaty of 1839 needed any substitute; and I think it would have been for the public interest if the Government had not prorogued Parliament till ample time had been given for the communication of this Treaty, and for the House and the country to consider it. A good deal has been said about the unadvisability of expressing any feeling of sympathy for one side or the other; but it was impossible to avoid it, because no one can shut his eyes to the fact that the object of the war on one side was the safety of a dynasty, and on the other the consolidation—the building up of Germany. In that latter object I take, and the people of England must take, a great interest; but we are very little interested in the safety of the Imperial dynasty. I hope the First Minister of the Crown will be able to answer these questions, with the view of clearing up points that seem to require explanation.

MR. GLADSTONE: As far as I understand, my hon. and gallant Friend the Member for Waterford (Mr. Osborne) has complained that we have destroyed the Treaty of 1839 by this instrument. As I pay so much attention to everything that falls from him, I thought that by some mistake I must have read the instrument inaccurately; but I have read it again, and I find that by one of the Articles contained in it the Treaty of 1839 is expressly recognized. But there is one omission I made in the matter which I will take the present opportunity to supply. The House, I think, have

*Mr. White*



clearly understood that this instrument expresses an arrangement between this country and France; but an instrument has been signed between this country and the North German Confederation precisely the same in its terms, except that where the name of the Emperor of the French is read in one instrument, the name of the German Confederation is read in the other, and *vice versa*. I have listened with much interest to the conversation which has occurred, and I think we have no reason to be dissatisfied at the manner in which, speaking generally, this Treaty has been received. My hon. Friend the Member for Brighton (Mr. White) speaking, as he says, from below the Gangway, is quite right in thinking that his approval of the course the Government have taken is gratifying to us, on account of the evidently independent course of action which he always pursues in this House. The hon. and gallant Gentleman opposite (Colonel Bartelot) has expressed a different opinion from ours on the great question of policy, and he asks whether we should not have done well to limit ourselves to the Treaty of 1839. We differ entirely on that subject from the hon. and gallant Gentleman; but we cannot complain of the manner in which he has expressed his opinion and recognized the intentions of the Government. From Gentlemen who sit behind me we have had more positive and unequivocal expressions of approval than fell from the hon. and gallant Gentleman. The only person who strongly objects to the course taken by the Government is my hon. and gallant Friend the Member for Waterford; and I do not in the least object to his frank method of stating whatever he feels in opposition to our proceedings in a matter of so much consequence, though I do think it necessary to notice some of his objections. In the first place, he denounces this Treaty as an example of the mischiefs of secret diplomacy. He thinks that if the Treaty had been submitted to the House it would not have been agreed to. My hon. and gallant Friend is a man much enamoured of public diplomacy. He remembers, no doubt, that three weeks ago the Duc de Gramont went to the Legislative Body of France and made an announcement as to the policy which the French Government would pursue with respect to Prussia. The result of

that example of public diplomacy no doubt greatly encouraged my hon. and gallant Friend. Then we have a specimen in the speech of my hon. and gallant Friend of the kind of public diplomacy which we should have in this case if his hopes and desires were realized. He says that if Belgium were in the hands of a hostile Power the liberties of this country would not be worth 24 hours' purchase. I protest against that statement. With all my heart and soul I protest against it. A statement more exaggerated, a statement more extravagant, I never heard fall from the lips of any Member in this House. [Mr. OSBORNE: Napoleon said it.] Whatever my hon. and gallant Friend's accurate acquaintance with the correspondence of Napoleon may induce him to say, I may be permitted to observe that I am not prepared to take my impression of the character, of the strength, of the dignity, of the duty, or of the danger of this country from that correspondence. I will avail myself of this opportunity of expressing my opinion, if I may presume to give it, that too much has been said by my hon. and gallant Friend and others of the specially distinct, separate, and exclusive interest which this country has in the maintenance of the neutrality of Belgium. What is our interest in maintaining the neutrality of Belgium? It is the same as that of every great Power in Europe. It is contrary to the interest of Europe that there should be unmeasured aggrandizement. Our interest is no more involved in the aggrandizement supposed in this particular case than is the interest of the other Powers. That it is a real interest, a substantial interest, I do not deny; but I protest against the attempt to attach to it the exclusive character which I never knew carried into the region of caricature to such a degree as it has been by my hon. and gallant Friend. What is the immediate moral effect of those exaggerated statements of the separate interest of England? The immediate moral effect of them is this—that every effort we make on behalf of Belgium on other grounds than those of interest—as well as on grounds of interest, goes forth to the world as a separate and selfish scheme of ours; and that which we believe to be entitled to the dignity and credit of an effort on behalf of the general peace, stability, and

interest of Europe actually contracts a taint of selfishness in the eyes of other nations because of the manner in which the subject of Belgian neutrality is too frequently treated in this House. If I may be allowed to speak of the motives which have actuated Her Majesty's Government in the matter, I would say that while we have recognized the interest of England, we have never looked upon it as the sole motive, or even as the greatest of those considerations which have urged us forward. There is, I admit, the obligation of the Treaty. It is not necessary, nor would time permit me, to enter into the complicated question of the nature of the obligations of that Treaty; but I am not able to subscribe to the doctrine of those who have held in this House what plainly amounts to an assertion, that the simple fact of the existence of a guarantee is binding on every party to it irrespectively altogether of the particular position in which it may find itself at the time when the occasion for acting on the guarantee arises. The great authorities upon foreign policy to whom I have been accustomed to listen—such as Lord Aberdeen and Lord Palmerston—never, to my knowledge, took that rigid and, if I may venture to say so, that impracticable view of a guarantee. The circumstance that there is already an existing guarantee in force is of necessity an important fact, and a weighty element in the case, to which we are bound to give full and ample consideration. There is also this further consideration, the force of which we must all feel most deeply, and that is the common interest against the unmeasured aggrandizement of any Power whatever. But there is one other motive, which I shall place at the head of all, that attaches peculiarly to the preservation of the independence of Belgium. What is that country? It is a country containing 4,000,000 or 5,000,000 of people, with much of an historic past, and imbued with a sentiment of nationality and a spirit of independence as warm and as genuine as that which beats in the hearts of the proudest and most powerful nations. By the regulation of its internal concerns, amid the shocks of revolution, Belgium, through all the crises of the age, has set to Europe an example of a good and stable government gracefully associated with the widest possible extension of the

liberty of the people. Looking at a country such as that, is there any man who hears me who does not feel that if, in order to satisfy a greedy appetite for aggrandizement, coming whence it may, Belgium were absorbed, the day that witnessed that absorption would hear the knell of public right and public law in Europe? But we have an interest in the independence of Belgium which is wider than that—which is wider than that which we may have in the literal operation of the guarantee. It is found in the answer to the question whether, under the circumstances of the case, this country, endowed as it is with influence and power, would quietly stand by and witness the perpetration of the direst crime that ever stained the pages of history, and thus become participators in the sin? And now let me deal with the observations of the hon. Member for Waterford. The hon. Member asks—What if both these Powers with whom we are making this Treaty should combine against the independence of Belgium? Well, all I can say is that we rely on the faith of these parties. But if there be danger of their combining against that independence now, unquestionably there was much more danger in the position of affairs that was revealed to our astonished eyes a fortnight ago, and before these later engagements were contracted. I do not undertake to define the character of that position which, as I have said, was more dangerous a fortnight ago. I feel confident that it would be hasty to suppose that these great States would, under any circumstances, have become parties to the actual contemplation and execution of a proposal such as that which was made the subject of communication between persons of great importance on behalf of their respective States. That was the state of facts with which we had to deal. It was the combination, and not the opposition, of the two Powers which we had to fear, and I contend—and we shall be ready on every proper occasion to argue—that there is no measure so well adapted to meet the peculiar character of such an occasion as that which we have proposed. It is said that the Treaty of 1839 would have sufficed, and that we ought to have announced our determination to abide by it. But if we were disposed at once to act upon the guarantee contained in that Treaty, what



state of circumstances does it contemplate? It contemplates the invasion of the frontiers of Belgium and the violation of the neutrality of that country by some other Power. That is the only case in which we could have been called upon to act under the Treaty of 1839, and that is the only case in which we can be called upon to act under the Treaty now before the House. But in what, then, lies the difference between the two Treaties? It is in this—that, in accordance with our obligations, we should have had to act under the Treaty of 1839 without any stipulated assurance of being supported from any quarter whatever against any combination, however formidable; whereas by the Treaty now formally before Parliament, under the conditions laid down in it, we secure powerful support in the event of our having to act—a support with respect to which we may well say that it brings the object in view within the sphere of the practicable and attainable, instead of leaving it within the sphere of what might have been desirable, but which might have been most difficult, under all the circumstances, to have realized. The hon. Member says that by entering into this engagement we have destroyed the Treaty of 1839. But if he will carefully consider the terms of this instrument he will see that there is nothing in them calculated to bear out that statement. It is perfectly true that this is a cumulative Treaty, added to the Treaty of 1839, as the right hon. Gentleman opposite (Mr. Disraeli), with perfect precision, described it. Upon that ground I very much agree with the general opinion he expressed; but, at the same time, peculiar circumstances call for a departure from general rules, and the circumstances are most peculiar under which we have thought it right to adopt the method of proceeding which we have actually done. The Treaty of 1839 loses nothing of its force even during the existence of this present Treaty. There is no derogation from it whatever. The Treaty of 1839 includes terms which are expressly included in the present instrument, lest by any chance it should be said that, in consequence of the existence of this instrument, the Treaty of 1839 had been injured or impaired. That would have been a mere opinion; but it is an opinion which we thought fit to provide against. The hon. Mem-

ber has said that this is a most peculiar method of bringing a Treaty before the House. I admit it. There is no doubt at all that it is so. But it is not easy to say what circumstances there are that will justify the breaking up of general rules in a matter so delicate and important as the making of communications to Parliament upon political negotiations of great interest. The rule which has been uniformly followed in this country is this—that no Treaty is communicated to Parliament unless it becomes binding; and it does not become absolutely binding upon the signatories until it has been ratified; and, by the law and usage of all civilized countries, ratification requires certain forms to be gone through which cannot be concluded in a moment. Under these circumstances, we had only this choice—whether we should be contented to present a Treaty to Parliament without the usual forms having been gone through, or whether we should break down the rule which we think it is, on the whole, most desirable to observe, and we thought it best to adopt the course we have followed in the matter. The hon. Member for Wakefield (Mr. Somerset Beaumont) has asked whether this Treaty has been concluded with the sanction of Belgium. My answer is that I do not doubt the relevancy of that inquiry, but that the Treaty has not been concluded with the sanction of Belgium, for we have advisedly refrained from any attempt to make Belgium a party to the engagement. In the first place, Belgium was not a party to the Treaty of 1839. But that is a matter of secondary importance. What we had to consider was, what was the most prudent, the best, and the safest course for us to pursue in the interest of Belgium. Independently of Belgium, we had no right to assume that either of the parties would agree to it, and we had also to contemplate the case in which one party might agree to it and the other might not. If we had attempted to make Belgium a party we should have run the risk of putting her in a very false position in the event of one of the parties not agreeing to the proposal. It was, therefore, from no want of respect or friendly feeling towards Belgium, but simply from prudential considerations, that we abstained from bringing that country within the circle of these negotiations. The hon. Mem-

ber has also asked whether Austria and Russia have been consulted upon the subject of the Treaty, but upon that point I have nothing to add to what I communicated to the House the other day. Both those parties have been invited—as Her Majesty has been advised to announce from the Throne—to accede to the Treaty, and I said on Monday that the reception of the Treaty as far as those Powers were concerned had been generally favourable. I have no reason to alter that statement; but, on the part of Russia, a question has arisen with regard to which I cannot quite say how it may eventually close, especially from the circumstance that the Emperor and his chief advisers upon foreign affairs do not happen to be in the same place. That question, so raised, is whether it might be wise to give a wider scope to any engagements of this kind; but if there is any hesitation on this point, it is not of a kind which indicates an objection of principle, but, on the contrary, one which shows a disposition to make every possible effort in favour of the Treaty. We are in full communication with friendly and neutral Powers on the subject of maintaining neutrality, and upon every side the very best dispositions prevail. There is the greatest inclination to abstain from all officious intermeddling between two Powers who, from their vast means and resources, are perfectly competent for the conduct of their own affairs; and there is not a less strong and decided desire on the part of every Power to take every step at the present moment that can contribute to restrict and circumscribe the area of the war, and to be ready, without having lost or forfeited the confidence of either belligerent, to avail itself of the first opportunity that may present itself to contribute towards establishing a peace which shall be honourable, and which shall present the promise of being per-

manent. That is the general state of the case, with regard to which I do not, in the least degree, question the right of any hon. Member behind me to form his own judgment. I cannot help expressing the opinion that, allowing for all the difficulties of the case, and the rapidity with which it was necessary to conduct these operations, we have done all that appeared to be essential in the matter; and the country may feel assured that the conduct which we have pursued in relation to this matter has not been unworthy of the high responsibility with which we are intrusted.

#### PROROGATION OF THE PARLIAMENT.

Message to attend The LORDS COMMISSIONERS.

The House went;—and the ROYAL ASSENT was given to several Bills.

And afterwards Her Majesty's Most Gracious Speech was delivered to both Houses of Parliament by The LORD CHANCELLOR, in pursuance of Her Majesty's Commands.

Then a Commission for proroguing the Parliament was read.

After which,

THE LORD CHANCELLOR said—

*My Lords, and Gentlemen,*

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to Thursday the 27th day of October next, to be then here holden; and this Parliament is accordingly prorogued to Thursday the 27th day of October next.



## PROTESTS.

### HOUSE OF LORDS,

*Friday, 17th June, 1870.*

#### HIGH COURT OF JUSTICE BILL.

##### THIRD READING.

##### DISSENTIENT :

"1. Because in Clause 2, the division of the so-called High Court of Justice for the convenient despatch of business into five divisional courts, to be styled respectively the Court of Chancery, the Court of Queen's Bench, the Court of Common Pleas, the Court of Exchequer, and the Probate, Divorce, and Admiralty Court (excluding the name of the Rolls Court), and the uncertainty caused by the words in the third line of the second page, "or to be otherwise styled in such manner as Her Majesty may, by Order in Council, from time to time determine," and "each of the said courts shall be presided over by a Lord President," is no improvement on the well known division of business now relied upon by suitors; whilst the grouping together of judges, several of whom at present sit alone, is a waste of power which is unnecessary, and because the names of the heads of each court are now well known, and their duties defined, the transfer of equity jurisdiction to them may induce the framers of rules to introduce the system of Bill and Answer into courts in which the pleadings have become every year less complicated, and in such case the alteration of the system of our ancient courts will cause great delay and uncertainty.

"2. Because some such improvement as the procedure in petitions of right (simplified by Lord Westbury) is needful to be known by the public before a sweeping change in Common Law Procedure is hastily projected.

"3. Because if only one judge sit at all times to try civil causes, and only one judge for criminal causes at all times of the year, with the exception of legal vacations, there will be danger of having a divided bar, unless great care be taken to prevent the clashing with circuits.

"4. Because the Report of the Commission upon which this Bill was founded was considered by the Law Amendment Society as the production more of a small cabinet of lawyers than of representatives of the general feelings of the Bench, the Bar, and the Legal Profession.

"5. Because the Incorporated Law Society, in their last petition, attach great importance to the formation of a code which should inform the profession what course should be adopted in procedure, and do not desire indefinite improvement.

"6. Because also the Incorporated Law Society have just fears of the provision for compulsory arbitration, especially by men unacquainted with the law, whose awards may not be made in a binding form; and the temptation to refer causes being very great, some check should be imposed, if not equal to the present right by either side to refuse his consent to a reference, yet sufficient to prevent the plaintiff from wishing in vain to withdraw his record, and the defendant from submitting to injustice rather than incur the expense and delay of arbitration.

"DENMAN."

## IRISH LAND BILL.

SECOND READING.

## DISSENTIENT :

"Because some of the provisions of this Bill are opposed to the just rights of property, and are admitted by its advocates to be unfit to be made the law in England and Scotland, and to be only justified in Ireland on account of the existing relations between landlord and tenant in some parts of that country, which they consider exceptional, and hope may be removed under the operation of this measure.

"Because it is proposed that these provisions, instead of being imposed for a limited period to meet an exceptional state of things, are to be enacted permanently, and thereby appear to be established as principles which ought to exist by law at all times between landlord and tenant, and any attempt to repeal them, although the exceptional reason for their introduction may have passed away, will be attended with serious opposition and discontent.

"Because this enactment of them as principles is likely to lead to agitation for the extension of similar provisions to England and Scotland, in order that one system of permanent law on the subject may be established throughout the United Kingdom.

"REDESDALE, LUCAN, MALMESBURY, KILMAINE, GRINSTEAD, SALTOUN, ORANMORE & BROWNE, SOMERHILL, SALTERSFORD, CLEMENTS, DUNSANY, for first and second Reasons; MOORE, TEMPLETOWN, MANCHESTER, DUNSANDLE & CLANCONAL, for first and second Reasons; DIGBY."

## HOUSE OF LORDS,

Tuesday, 5th July, 1870.

## IRISH LAND BILL.—REPORT.

## DISSENTIENT :

"1. Because the provisions of this Bill involve an interference with the acknowledged rights of property, to an extent without precedent in the legislation of any civilized country.

"2. Because this Bill has been founded on an alleged exceptional state of affairs as to the relations between landlord and tenant, which allegations are not founded on facts, it having been satisfactorily shown that the land in Ireland is rented at a lower rate than that in any part of Central Europe, and that evictions, other than those for non-payment of rent, have been inconsiderable.

"3. Because exceptional legislation is calculated to create an exceptional state of circumstances, and to interpose a barrier to the future improvement of the country.

"4. Because the liberty of contract upon which all transactions between man and man ought to be based, is improperly interfered with, restricted, and violated, to the disadvantage of the Commonwealth, and destructive to personal responsibility.

"5. Because the effect of this Bill will be to promote litigation between the owners and occupiers of the soil, and to interfere with those reciprocal feelings of cordiality and good will on which the welfare of an agricultural community so much depends.

"6. Because the imposition of a tax in Ireland which is not imposed on a like article in England, as is done by this Bill, is a direct violation of the Treaty of Union between Great Britain and Ireland.

"7. Because, while professing to give security of tenure to the small farmers, the obvious consequence of this Bill will be to promote the consolidation of farms, and the removal of the Irish peasantry from their small holdings.

"CLEMENTS.

"TALBOT DE

"MALAHIDE.

"For 1st, 4th, and 5th Reasons—

Do:

"SALTERSFORD.

"CLONBROCK.

"For 1st, 3d, 4th, and 5th Reasons—

"ROSSE.

"For 1st, 2d, 3d, 4th, 5th, and 6th Reasons—

"DUNSANY.

"For 1st, 2d, 3d, 4th, 5th, and 6th Reasons—

"KILMAINE.

"For the 1st, 3d, and 4th Reasons—

"SOMERHILL."



## HOUSE OF LORDS,

*Thursday, 7th July, 1870.*SLIGO AND CASHEL DISFRANCHISE-  
MENT BILL.*DISSENTIENT :*

"Because in dealing with Bills of this character this House, which is a Court of Appeal, ought not to refuse to hear what the Counsel of these Petitioners may have to say in their behalf before it decides against them.

*"REDESDALE."*

## HOUSE OF LORDS,

*Friday, 8th July, 1870.*

## IRISH LAND BILL.—THIRD READING.

*DISSENTIENT.*

"1. Because property has its rights as well as its duties, and the present Bill is the greatest violation of them in modern times.

"2. Because the interests of landlord and tenant are identical, and whatever injures the one cannot fail to injure the other.

"3. Because this Bill is contrary to all the received principles of political economy.

"4. Because this Bill will be more severe against the improving and indulgent landlord than the harsh and inconsiderate one.

"5. Because it will produce a great amount of litigation, and necessarily produce collisions between parties who have hitherto been on the most friendly terms.

"6. Because it will paralyze the attempts of landlords to improve the condition of their tenantry and to introduce a good system of husbandry.

"7. Because no legislation will settle the land question as long as successive Governments, under the influence of party exigencies, encourage professional agitators to disturb the minds of the people.

"TALBOT DE MALAHIDE, HAWARDEN, DENMAN, CLONBROCK, SALTERSFORD, DIGBY, CLEMENTS, CLANCARTY."





# SITTINGS OF THE HOUSE, SESSION 1870.

RETURN to an Order of the Honourable The House of Commons,  
dated 3 August 1870 ;—for,

A RETURN “of the Number of DAYS on which THE HOUSE SAT in the Session of 1870, stating, for each Day, the Date of the Month, and the Day of the Week, the Hour of Meeting, and the Hour of Adjournment; and the Total Number of Hours occupied in the Sittings of The House, and the Average Time; and showing the Number of Hours on which The House Sat each Day, and the Number of Hours after Midnight; and the Number of Entries in each Day’s Votes and Proceedings (in continuation of Parliamentary Paper, No. 0.101, of Session 1868-9).”

(Mr. Charles Forster.)

| Month.   | Day. | House met. | House ad-journed. | Hours of Sitting. | Hours after Midnight. | Entries in Votes. | Month.   | Day | House met. | House ad-journed. | Hours of Sitting. | Hours after Midnight. | Entries in Votes. |
|----------|------|------------|-------------------|-------------------|-----------------------|-------------------|----------|-----|------------|-------------------|-------------------|-----------------------|-------------------|
|          |      | H. M.      | H. M.             | H. M.             | H. M.                 |                   |          |     | H. M.      | H. M.             | H. M.             | H. M.                 |                   |
| 1870     |      |            |                   |                   |                       |                   | 1870     |     |            |                   |                   |                       |                   |
| Feb.     | 8    | Tu         | 12 8 30           | 7 0               | - -                   | 63                | Apr.     | 1   | F          | 2 1 15            | 11 15             | 1 15                  | 62                |
| "        | 9    | W          | 12 1 15           | 1 15              | - -                   | 155               | "        | 4   | M          | 4 12 45           | 8 45              | 0 45                  | 112               |
| "        | 10   | Th         | 4 8 15            | 4 15              | - -                   | 170               | "        | 5   | Tu         | 2 1 0             | 11 0              | 1 0                   | 83                |
| "        | 11   | F          | 4 6 30            | 2 30              | - -                   | 71                | "        | 6   | W          | 12 5 50           | 5 50              | - -                   | 48                |
| "        | 14   | M          | 4 11 0            | 7 0               | - -                   | 120               | "        | 7   | Th         | 4 12 30           | 8 30              | 0 30                  | 94                |
| "        | 15   | Tu         | 4 10 0            | 6 0               | - -                   | 116               | "        | 8   | F          | 2 3 30            | 13 30             | 3 30                  | 94                |
| "        | 16   | W          | 12 12 30          | 0 30              | - -                   | 43                | "        | 11  | M          | 4 1 45            | 9 45              | 1 45                  | 116               |
| "        | 17   | Th         | 4 10 15           | 6 15              | - -                   | 61                | "        | 12  | Tu         | 2 5 15            | 2 45              | - -                   | 63                |
| "        | 18   | F          | 4 9 15            | 5 15              | - -                   | 57                | "        | 25  | M          | 4 1 30            | 9 30              | 1 30                  | 110               |
| "        | 21   | M          | 4 12 15           | 8 15              | 0 15                  | 77                | "        | 26  | Tu         | 4 1 30            | 9 30              | 1 30                  | 79                |
| "        | 22   | Tu         | 4 7 15            | 3 15              | - -                   | 71                | "        | 27  | W          | 12 5 45           | 5 45              | - -                   | 54                |
| "        | 23   | W          | 12 3 30           | 3 30              | - -                   | 46                | "        | 28  | Th         | 4 3 15            | 11 15             | 3 15                  | 92                |
| "        | 24   | Th         | 4 7 0             | 3 0               | - -                   | 61                | "        | 29  | F          | 4 2 15            | 10 15             | 2 15                  | 105               |
| "        | 25   | F          | 4 10 30           | 6 30              | - -                   | 53                |          |     |            |                   |                   |                       |                   |
| "        | 28   | M          | 4 1 0             | 9 0               | - -                   | 63                |          |     |            |                   |                   |                       |                   |
| Total... | 15   | - -        | - -               | 73 30             | 0 15                  | 1,227             | Total... | 13  | - -        | - -               | 117 35            | 17 15                 | 1,112             |
| Mar.     | 1    | Tu         | 4 12 45           | 8 45              | 0 45                  | 78                | May      | 2   | M          | 4 2 0             | 10 0              | 2 0                   | 84                |
| "        | 2    | W          | 12 5 15           | 5 15              | - -                   | 30                | "        | 3   | Tu         | 4 1 0             | 9 0               | 1 0                   | 65                |
| "        | 3    | Th         | 4 12 30           | 8 30              | 0 30                  | 48                | "        | 4   | W          | 12 6 0            | 6 0               | - -                   | 56                |
| "        | 4    | F          | 4 12 45           | 8 45              | 0 45                  | 77                | "        | 5   | Th         | 4 2 0             | 10 0              | 2 0                   | 79                |
| "        | 7    | M          | 4 12 30           | 8 30              | 0 30                  | 76                | "        | 6   | F          | 4 2 0             | 10 0              | 2 0                   | 121               |
| "        | 8    | Tu         | 4 1 15            | 9 15              | 1 15                  | 64                | "        | 9   | M          | 4 2 0             | 10 0              | 2 0                   | 104               |
| "        | 9    | W          | 12 5 50           | 5 50              | - -                   | 51                | "        | 10  | Tu         | 4 1 45            | 9 45              | 1 45                  | 80                |
| "        | 10   | Th         | 4 1 15            | 9 15              | 1 15                  | 65                | "        | 11  | W          | 12 5 50           | 5 50              | - -                   | 60                |
| "        | 11   | F          | 4 1 30            | 9 30              | 1 30                  | 71                | "        | 12  | Th         | 4 2 0             | 10 0              | 2 0                   | 84                |
| "        | 14   | M          | 4 1 30            | 9 30              | 1 30                  | 74                | "        | 13  | F          | 4 1 45            | 9 45              | 1 45                  | 101               |
| "        | 15   | Tu         | 4 12 30           | 8 30              | 0 30                  | 76                | "        | 16  | M          | 4 1 45            | 9 45              | 1 45                  | 99                |
| "        | 16   | W          | 12 5 50           | 5 50              | - -                   | 49                | "        | 17  | Tu         | 4 8 45            | 4 45              | - -                   | 74                |
| "        | 17   | Th         | 4 12 45           | 8 45              | 0 45                  | 81                | "        | 18  | W          | 12 5 55           | 5 55              | - -                   | 75                |
| "        | 18   | F          | 4 1 0             | 9 0               | 1 0                   | 71                | "        | 19  | Th         | 4 1 30            | 9 30              | 1 30                  | 101               |
| "        | 21   | M          | 4 12 30           | 8 30              | 0 30                  | 99                | "        | 20  | F          | 4 3 0             | 11 0              | 3 0                   | 101               |
| "        | 22   | Tu         | 4 1 0             | 9 0               | 1 0                   | 71                | "        | 23  | M          | 4 1 15            | 9 15              | 1 15                  | 99                |
| "        | 23   | W          | 12 5 45           | 5 45              | - -                   | 65                | "        | 24  | Tu         | 4 2 0             | 10 0              | 2 0                   | 73                |
| "        | 24   | Th         | 4 1 15            | 9 15              | 1 15                  | 77                | "        | 25  | W          | 12 5 55           | 5 55              | - -                   | 64                |
| "        | 25   | F          | 2 1 0             | 11 0              | 1 0                   | 81                | "        | 26  | Th         | 4 1 45            | 9 45              | 1 45                  | 73                |
| "        | 26   | S          | 1 4 30            | 3 30              | - -                   | 21                | "        | 27  | F          | 4 2 0             | 10 0              | 2 0                   | 72                |
| "        | 28   | M          | 4 12 30           | 8 30              | 0 30                  | 101               | "        | 30  | M          | 4 2 45            | 10 45             | 2 45                  | 124               |
| "        | 29   | T          | 4 1 15            | 9 15              | 1 15                  | 68                | "        | 31  | Tu         | 4 1 15            | 9 15              | 1 15                  | 87                |
| "        | 30   | W          | 12 5 50           | 5 50              | - -                   | 64                |          |     |            |                   |                   |                       |                   |
| "        | 31   | Th         | 4 1 15            | 9 15              | 1 15                  | 102               |          |     |            |                   |                   |                       |                   |
| Total... | 24   | - -        | - -               | 195 0             | 17 0                  | 1,660             | Total... | 22  | - -        | - -               | 196 10            | 31 45                 | 1,876             |

# SITTINGS OF THE HOUSE, SESSION 1870.

| Month.   | Day. | House met. | House adjourned. | Hours of Sitting. | Hours after Midnight. | Entries in Votes. | Month.   | Day. | House met. | House adjourned. | Hours of Sitting. | Hours after Midnight. | Entries in Votes. |
|----------|------|------------|------------------|-------------------|-----------------------|-------------------|----------|------|------------|------------------|-------------------|-----------------------|-------------------|
| 1870     |      |            | H. M.            | H. M.             | H. M.                 |                   | cont.    |      |            | H. M.            | H. M.             | H. M.                 |                   |
| June 9   | Th   | 4          | 1 15             | 9 15              | 1 15                  | 92                | July 14  | Th   | 4          | 5 15             | 13 15             | 5 15                  | 63                |
| " 10     | F    | 4          | 1 0              | 9 0               | 1 0                   | 85                | " 15     | F    | 2          | 9 10             | 7 10              | - -                   | 40                |
| " 13     | M    | 4          | 1 0              | 9 0               | 1 0                   | 103               | " 18     | M    | 4          | 2 30             | 10 30             | 2 30                  | 93                |
| " 14     | Tu   | 4          | 7 15             | 3 15              | - -                   | 53                | " 19     | Tu   | 2          | 2 45             | 12 45             | 2 45                  | 75                |
| " 15     | W    | 12         | 6 0              | 6 0               | - -                   | 57                | " 20     | W    | 12         | 5 50             | 5 50              | - -                   | 50                |
| " 16     | Th   | 4          | 12 45            | 8 45              | 0 45                  | 95                | " 21     | Th   | 4          | 2 30             | 10 30             | 2 30                  | 94                |
| " 17     | F    | 2          | 3 45             | 13 45             | 3 45                  | 68                | " 22     | F    | 2          | 2 45             | 12 45             | 2 45                  | 62                |
| " 20     | M    | 4          | 1 45             | 9 45              | 1 45                  | 109               | " 25     | M    | 4          | 2 15             | 10 15             | 2 15                  | 82                |
| " 21     | Tu   | 2          | 1 30             | 11 30             | 1 30                  | 71                | " 26     | Tu   | 2          | 2 45             | 12 45             | 2 45                  | 47                |
| " 22     | W    | 12         | 5 55             | 5 55              | - -                   | 63                | " 27     | W    | 12         | 5 58             | 5 58              | - -                   | 52                |
| " 23     | Th   | 4          | 2 45             | 10 45             | 2 45                  | 75                | " 28     | Th   | 4          | 2 0              | 10 0              | 2 0                   | 73                |
| " 24     | F    | 2          | 2 15             | 7 15              | - -                   | 62                | " 29     | F    | 2          | 2 15             | 12 15             | 2 15                  | 67                |
| " 27     | M    | 4          | 1 15             | 9 15              | 1 15                  | 97                | Total... | 21   | --         | - -              | 205 23            | 37 30                 | 1,390             |
| " 28     | Tu   | 2          | 1 45             | 11 45             | 1 45                  | 76                | Aug. 1   | M    | 1          | 3 30             | 11 30             | 3 30                  | 86                |
| " 29     | W    | 12         | 5 55             | 5 55              | - -                   | 61                | " 2      | Tu   | 2          | 3 0              | 13 0              | 3 0                   | 65                |
| " 30     | Th   | 4          | 2 0              | 10 0              | 2 0                   | 73                | " 3      | W    | 12         | 5 50             | 5 50              | - -                   | 46                |
| Total... | 16   | --         | - -              | 141 5             | 18 45                 | 1,240             | " 4      | Th   | 4          | 11 15            | 7 15              | - -                   | 55                |
| July 1   | F    | 2          | 9 5              | 7 5               | - -                   | 53                | " 5      | F    | 2          | 1 45             | 11 45             | 1 45                  | 64                |
| " 4      | M    | 4          | 2 15             | 10 15             | 2 15                  | 95                | " 6      | S    | 12         | 1 0              | 1 0               | - -                   | 24                |
| " 5      | Tu   | 2          | 1 45             | 9 45              | 1 45                  | 64                | " 8      | M    | 3          | 8 0              | 5 0               | - -                   | 59                |
| " 6      | W    | 12         | 5 55             | 5 55              | - -                   | 67                | " 9      | Tu   | 12 1/2     | 2 45             | 2 15              | - -                   | 82                |
| " 7      | Th   | 4          | 2 45             | 10 45             | 2 45                  | 70                | " 10     | W    | 12 1/2     | Prorogation.     |                   |                       | 78                |
| " 8      | F    | 2          | 1 15             | 11 15             | 1 15                  | 54                | Total... | 9    | --         | - -              | 57 35             | 8 15                  | 559               |
| " 11     | M    | 4          | 2 30             | 10 30             | 2 30                  | 76                |          |      |            |                  |                   |                       |                   |
| " 12     | Tu   | 2          | 2 0              | 12 0              | 2 0                   | 70                |          |      |            |                  |                   |                       |                   |
| " 13     | W    | 2          | 5 55             | 3 55              | - -                   | 43                |          |      |            |                  |                   |                       |                   |

## SUMMARY.

| Month.        | Days of Sitting. | Hours of Sitting. | Hours after Midnight. | Entries in Votes. |
|---------------|------------------|-------------------|-----------------------|-------------------|
| 1870          |                  | H. M.             | H. M.                 |                   |
| February..... | 15               | 73 30             | 0 15                  | 1,227             |
| March.....    | 24               | 195 0             | 17 0                  | 1,660             |
| April .....   | 13               | 117 35            | 17 15                 | 1,112             |
| May .....     | 22               | 196 10            | 31 45                 | 1,876             |
| June.....     | 16               | 141 5             | 18 45                 | 1,240             |
| July .....    | 21               | 205 23            | 37 30                 | 1,390             |
| August.....   | 9                | 57 35             | 8 15                  | 559               |
| Total.....    | 120              | 986 18            | 130 45                | 9,064             |

Average Time of Sitting, 8 Hours 13 Minutes 9 Seconds.

## DIVISIONS OF THE HOUSE, SESSION 1870.

(PARL. PAPER 0-100.)

### SUMMARY.

|                                                        |     |     |     |
|--------------------------------------------------------|-----|-----|-----|
| Number of Divisions on Public Business before Midnight | ... | ... | 163 |
| Ditto " " after Midnight                               | ... | ... | 77  |
| Ditto—Private Business " before Midnight               | ... | ... | 3   |
| Ditto " " after Midnight                               | ... | ... | 1   |
| Total Number of Divisions in Session 1870              | ... | ... | 244 |



# TABLE OF ALL THE STATUTES

PASSED IN THE SECOND SESSION OF

THE TWENTIETH PARLIAMENT OF THE UNITED KINGDOM  
OF GREAT BRITAIN AND IRELAND.

33 & 34 VICTORIA.—A.D. 1870.

## PUBLIC GENERAL ACTS.

1. **A** N Act to empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath.
2. An Act to make provision for the proceedings of Boards of Management and Boards of Guardians upon the dissolution of Districts and Unions or the annexation of Parishes to Unions.
3. An Act to make better provision for making laws and regulations for certain parts of India, and for certain other purposes relating thereto.
4. An Act to make provision for the assessment of Income Tax, and to amend the law relating to Inland Revenue.
5. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy, and one thousand eight hundred and seventy-one, and preceding years.
6. An Act to extend the Jurisdiction of the Judges of the Superior Courts of Common Law at Westminster.
7. An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.
8. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.
9. An Act to amend "The Peace Preservation (Ireland) Act, 1856," and for other purposes relating to the Preservation of Peace in Ireland.
10. An Act to consolidate and amend the law relating to the Coinage and Her Majesty's Mint.
11. An Act to enable the officers employed in the Collector-General of Rates' office in the city of Dublin to vote at Parliamentary Elections for that city.
12. An Act to repeal certain Duties of Customs in the Isle of Man.
13. An Act to amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man.
14. An Act to amend the Law relating to the legal condition of Aliens and British Subjects.
15. An Act to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the buildings and property of the County Courts in England, and for other purposes relating thereto.
16. An Act to define the boundary between the counties of Inverness and Elgin or Moray, in the district of Strathspey; and for other purposes.
17. An Act for making further provision relating to the Management of certain Departments of the War Office.
18. An Act to provide for the equal distribution over the Metropolis of a further portion of the charge for the Relief of the Poor.
19. An Act to amend "The Railway Companies Powers Act, 1864," and "The Railway Construction Facilities Act, 1864."
20. An Act to amend "The Mortgage Debenture Act, 1865."
21. An Act to disfranchise the Boroughs of Bridgewater and Beverley.
22. An Act to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts.
23. An Act to abolish Forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto.
24. An Act for making further provision respecting the borrowing of money by the Metropolitan Board of Works.
25. An Act to disfranchise certain Voters of the City of Norwich.
26. An Act to regulate the Sale of Poisons in Ireland.
27. An Act for the Protection of Inventions exhibited at International Exhibitions in the United Kingdom.
28. An Act to amend the law relating to the Remuneration of Attorneys and Solicitors.

29. An Act to amend and continue "The Wine and Beerhouse Act, 1869."
30. An Act to abolish Attachment of Wages.
31. An Act to apply the sum of nine million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one.
32. An Act to grant certain Duties of Customs and Inland Revenue, and to repeal and alter other Duties of Customs and Inland Revenue.
33. An Act to amend the Acts relating to the Export of unseasonable Salmon.
34. An Act to amend the Law as to the Investment on Real Securities of Trust Funds held for public and charitable purposes.
35. An Act for the better Apportionment of Rents and other periodical Payments.
36. An Act to amend "The Cattle Disease Act (Ireland), 1866."
37. An Act to enable the senior Magistrate of populous Places in Scotland to act ex officio as a Justice of the Peace and Commissioner of Supply for the County in which the said populous Place is situated.
38. An Act to disfranchise the Boroughs of Sligo and Cashes.
39. An Act to facilitate transfers of Ecclesiastical Patronage in certain cases.
40. An Act for authorising a guarantee of a loan to be raised by the Government of New Zealand for the construction of roads, bridges, and communications in that country, and for the introduction of settlers into that country.
41. An Act for raising the sum of one million three hundred thousand pounds by Exchequer Bonds for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-one.
42. An Act to empower magistrates and town councils of burghs in Scotland to abolish petty customs and to levy a rate in lieu thereof.
43. An Act to alter certain Duties of Customs upon Refined Sugar in the Isle of Man.
44. An Act to declare the Stamp Duty chargeable on certain Leases.
45. An Act for establishing a District Registrar of the High Court of Admiralty in England at Liverpool.
46. An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland.
47. An Act for extending to Ireland and amending "The Dividends and Stock Act, 1869."
48. An Act for removing doubts respecting the payment of expenses incurred in the Conveyance of Paupers in certain cases not expressly provided for by Law.
49. An Act to explain and amend "The Evidence Further Amendment Act, 1869."
50. An Act to amend "The Shipping Dues Exemption Act, 1867."
51. An Act to repeal an Act intituled "An Act 'to alter the mode of giving Notices for the 'holding of Vestries, of making Proclamation 'in cases of Outlawry, and of giving Notices 'on Sundays in respect to various matters,' so far as such Act relates to the Isle of Man.
52. An Act for amending the Law relating to the Extradition of Criminals.
53. An Act to amend certain provisions in the Sanitary and Sewage Utilization Acts.
54. An Act to disfranchise certain Voters of the City of Dublin.
55. An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements.
56. An Act to enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves.
57. An Act to grant a Duty of Excise on Licences to use Guns.
58. An Act to further amend the Law relating to indictable offences by Forgery.
59. An Act to render valid certain Contracts informally executed in India.
60. An Act to relieve the Brokers of the City of London from the supervision of the Court of Mayor and Aldermen of the said City.
61. An Act to amend the law relating to Life Assurance Companies.
62. An Act to amend and extend the Acts relating to Factories and Workshops.
63. An Act to limit Wages Arrestment in Scotland.
64. An Act to amend the Petty Sessions Clerk (Ireland) Act, 1858.
65. An Act to amend the Law relating to Advertisements respecting Stolen Goods.
66. An Act to make further provision for the Government of British Columbia.
67. An Act to shorten the time of Active Service in the Army, and to amend in certain respects the Law of Enlistment.
68. An Act to amend the Acts relating to the Militia of the United Kingdom.
69. An Act for further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by certain Acts of the present Session.
70. An Act to facilitate in certain cases the obtaining of powers for the construction of Gas and Water Works and for the supply of Gas and Water.
71. An Act for consolidating, with Amendments, certain Enactments relating to the National Debt.
72. An Act for granting Certificates to Pedlars.
73. An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads.
74. An Act to confirm the Award under "The Curragh of Kildare Act, 1863," and for other purposes relating thereto.
75. An Act to provide for public Elementary Education in England and Wales.
76. An Act to facilitate the Arrest of Absconding Debtors.
77. An Act to amend the Laws relating to the qualifications, summoning, attendance, and remuneration of Special and Common Juries.
78. An Act to facilitate the construction and to regulate the working of Tramways.
79. An Act for further regulation of Duties of Postage, and for other purposes relating to the Post Office.
80. An Act for taking the Census of Ireland.
81. An Act to amend the Acts of the thirty-seventh year of King George the Third, chapter one hundred and twenty-seven, and the thirtieth and fortieth years of King George the Third, chapter fourteen.



82. An Act to authorise the Commissioners of Her Majesty's Treasury to guarantee the payment of a loan to be raised by the Government of Canada for the construction of fortifications in that country.
83. An Act to make better provision for the Police Force in the City of Londonderry, and to amend the Acts relating to the Royal Irish Constabulary Force.
84. An Act to amend the Public Schools Act, 1868.
85. An Act to declare the Hundred in which a Piece of Land in the County of Norfolk is situate, and to provide for the Assessment of the said Piece of Land to the County Rate.
86. An Act to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland.
87. An Act to amend the Act twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act to abolish the Annuity Tax in Edinburgh and Montrose, and to make provision in regard to the Stipends of the Ministers in that City and Burgh, and also to make provision for the Patronage of the Church of North Leith;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish.
88. An Act to extend the Telegraph Acts of 1868, 1869, to the Channel Islands and the Isle of Man.
89. An Act to enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers.
90. An Act to regulate the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace.
91. An Act for the relief of persons admitted to the office of Priest or Deacon in the Church of England.
92. An Act to amend the laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland.
93. An Act to amend the Law relating to the Property of Married Women.
94. An Act to provide for Superannuation Allowances to Medical Officers of Unions, Districts, and Parishes in England and Wales.
95. An Act to authorise the carriage of Naval and Military Stores in Passenger Ships.
96. An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one, and to appropriate the Supplies granted in this Session of Parliament.
97. An Act for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto.
98. An Act for consolidating and amending the Law relating to the Management of Stamp Duties.
99. An Act for the repeal of certain Enactments relating to the Inland Revenue.
100. An Act to amend the Law relating to the repayment to the Consolidated Fund of money expended for the benefit of Greenwich Hospital.
101. An Act for amending the Sixth Section of the Pensions Commutation Act, 1869.
102. An Act to amend the Law relating to the taking of Oaths of Allegiance on Naturalization.
103. An Act to continue various expiring Laws.
104. An Act to facilitate compromises and arrangements between creditors and shareholders of Joint Stock and other Companies in Liquidation.
105. An Act for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry.
106. An Act to amend the Sanitary Act, 1866, so far as relates to the City of Dublin.
107. An Act for taking the Census of England.
108. An Act for taking the Census in Scotland.
109. An Act to abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes.
110. An Act to provide for the administration of the Law relating to Matrimonial Causes and Matters, and to amend the Law relating to Marriages, in Ireland.
111. An Act to make provision in relation to certain Beerhouses not duly qualified according to Law.
112. An Act to amend the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes, in Ireland.

The Acts contained in the following List, being PUBLIC ACTS of a Local Character, are placed amongst the LOCAL AND PERSONAL ACTS.

- vi. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Boston Deepes and Emsworth.
- xxvii. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to the Frith of Forth.
- lxxxi. An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.
- lxxxii. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Alum Bay, Dartmouth, Ilfracombe, Penryn, and Walton-on-the-Naze.
- cxiv. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Blackpool, Bristol, Eton, Heckmondwike, Kidderminster, Lincoln, Nottingham, Plymouth, South Molton, Walasey, and Ware; and for other purposes relative to certain districts under the said Act.
- cxv. An Act to confirm Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burghs of Dunfermline and Perth.
- cxvi. An Act for confirming a Scheme of the Charity Commissioners for the Jewish United Synagogues.
- cxvii. An Act for confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John in the borough of Southwark.
- cxviii. An Act to confirm a Provisional Order under "The Public Health (Scotland) Act, 1867," relating to the Burgh of Fraserburgh.
- clvi. An Act to confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet.
- clvii. An Act to confirm a Provisional Order under "The Drainage of Lands (Ireland) Act, 1863," and the Acts amending the same.
- clviii. An Act for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor.
- clix. An Act for confirming a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Burntisland.
- clxv. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Merthyr Tydfil.

## LOCAL ACTS.

*The Titles to which the Letter P. is prefixed are Public Acts of a Local Character.*

- i. **A**N Act to authorise the Chester United Gas Company to raise additional Capital.
- ii. An Act for supplying the town and parish of Mansfield in the county of Nottingham with Water.
- iii. An Act to enable the Runcorn, Weston, and Halton Waterworks Company to raise additional Capital.
- iv. An Act for extending the powers of "The Leicester Lunatic Asylum and Improvement Act, 1865;" and for other purposes.
- v. An Act for better supplying with Gas the borough of Newport and the parishes of Carisbrooke, Whippingham, and St. Nicholas in the Isle of Wight in the county of Southampton; and for other purposes.
- P.** vi. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Boston Deepes and Emsworth.
- vii. An Act to consolidate into one ordinary Stock the separate ordinary Stocks and Shares in the North-eastern Railway Company, and to make other provisions consequent thereon, and in reference to the Share Capital of the Company; and for other purposes.
- viii. An Act to ascertain and commute Commonable and certain other Rights in the Abbot's Wood in the Forest of Dean in Gloucestershire.
- ix. An Act to authorise the abandonment of a portion of the Callander and Oban Railway, to extend the time for the completion of another portion thereof; and for other purposes.
- x. An Act for incorporating "The Airedale Gas Company," and for enabling them to supply Gas to parts of the townships of Idle and Ecclehill, in the West Riding of Yorkshire.
- xi. An Act for incorporating "the Kings Lynn Gas Company," and for enabling them to



- supply Gas to Kings Lynn and other places in Norfolk.
- xii. An Act for incorporating the Wrexham Gaslight Company, with powers to supply the town of Wrexham and its neighbourhood with Gas; and for other purposes.
- xiii. An Act to authorise the construction of a Railway from the Midland Railway at Chesterfield to Brampton, and Branch Railways or Tramways connected therewith, in the county of Derby; and for other purposes.
- xiv. An Act to enable the Commissioners of Police of the Burgh of Broughty Ferry to purchase the Gasworks of the Broughty Ferry Gaslight Company, and to supply Gas within the said Burgh and District.
- xv. An Act to amend the Acts relating to the Asylum for Female Orphans.
- xvi. An Act to enable the Severn and Wye Railway and Canal Company to extend their railway to the Ross and Monmouth Railway near the River Wye.
- xvii. An Act to enable the local board for the district of Hyde, in the county palatine of Chester, to purchase the Hyde, Werneth, and Newton Waterworks, and to confer upon them other powers with reference thereto.
- xviii. An Act for better supplying with Water the town and parish of Beccles, in the county of Suffolk.
- xix. An Act to amend The Fylde Waterworks Act, 1861, to increase the capital of the Fylde Waterworks Company, to extend and define the limits of supply, to give power to alter the number of directors; and for other purposes.
- xx. An Act to amend and extend the Acts relating to the Millwall Canal Company, to change the name of the Company; and for other purposes.
- xxi. An Act to alter and enlarge some of the powers of "The North British and Mercantile Insurance Company."
- xxii. An Act for better supplying with Water the parishes of Old Shoreham, New Shoreham, Kingston-by-Sea, Southwick, Portslade, and Aldrington, in the county of Sussex.
- xxiii. An Act to amend and enlarge the Provisions of "The Southport Waterworks Act, 1854," "The Southport Waterworks Act, 1856," and "The Southport Waterworks Act, 1867," to make further and better Provision for supplying the town of Southport and the adjoining districts with Water; and for other purposes.
- xxiv. An Act for dissolving the Yeaton Waterworks Company limited, and re-incorporating the Proprietors therein with others for more effectually supplying with Water the Township of Yeaton, and certain parts of the Township of Rawden, both in the Parish of Guiseley, in the West Riding of the County of York; and for other purposes.
- xxv. An Act to incorporate the Proprietors of the Chiltern Hills Spring Water Company (Limited), and granting them powers with reference to Supply of Water to the town of Aylesbury and the vicinity thereof; and other purposes.
- xxvi. An Act to incorporate the Brecon Gas Company, and to enable them to supply the town of Brecon with gas; and for other purposes relating to the Company.
- P. xxvii. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to the Frith of Forth.
- xxviii. An Act to confer further powers on the Wolverhampton and Walsall Railway Company.
- xxix. An Act to confer further powers to the Newport Pagnell Railway Company.
- xxx. An Act to incorporate the Eccleshill and Bolton Gas Company, Limited, and to make further provision for lighting certain parts of the townships of Eccleshill and Bolton with Gas; and for other purposes.
- xxxi. An Act for the making of a Railway from Golspie to Helmsdale in the county of Sutherland, and for the abandonment of part of the authorised railway of the Sutherland Railway Company; and for other purposes.
- xxxii. An Act to authorise the construction of a Bridge over the river Trent in the County of Nottingham, and Roads and Approaches thereto, to be called "the Gunthorpe Bridge."
- xxxiii. An Act to constitute a body of Commissioners, and to empower them to purchase certain shipping dues from His Royal Highness the Prince of Wales; and also to provide for the alteration and ultimate extinction of such shipping dues, and for raising moneys; and for other purposes.
- xxxiv. An Act to vest Fosdyke Bridge and certain property connected therewith in the inhabitants of the parts of Holland in Lincolnshire as a county bridge and county property.
- xxxv. An Act for vesting in the Corporation of Paisley the supply of Gas to that town and the suburbs thereof; and for other purposes.
- xxxvi. An Act to confer various powers upon the Great Eastern Railway Company with respect to the Ramsey Branch of the said Company, and the Tendring Hundred Railway; and for other purposes.
- xxxvii. An Act for better raising and securing a Fund for the Widows and Children of the Officers, Agents, Clerks, and Porters of the Royal Bank of Scotland.
- xxxviii. An Act for dissolving the Saint Alban's Gas and Water Company, and re-incorporating the proprietors therein with others for more effectually supplying with Gas the borough of Saint Alban and other adjoining parishes and places; and for other purposes.
- xxxix. An Act to extend the Time for the compulsory Purchase of Lands for the purposes of the North Metropolitan Railway Act, 1867.
- xl. An Act for incorporating and granting further powers to the Hebden Bridge Gas Company.
- xli. An Act for making a Railway from the Hawthornden station of the Peebles Railway to Penicuik in the county of Edinburgh; and for other purposes.
- xlii. An Act to amend two Acts for Repressing Juvenile Delinquency in the City of Glasgow.
- xliii. An Act to enable the Local Board for the District of Aberdare to erect Waterworks and supply Water; to purchase the Undertaking of the Aberdare Waterworks Company; and for other purposes.
- xliv. An Act for conferring various additional powers upon the Caledonian Railway Company; and for other purposes.
- xlv. An Act to empower the corporation of Northampton to establish Markets and Fairs; and for other purposes.

- xlvi. An Act to authorise the Construction of the Edinburgh, Loanhead, and Roslin Railway.
- xlvii. An Act to enable the Metropolitan and Saint John's Wood Railway Company to abandon the authorised Extension of their Railway to Hampstead; and for other purposes.
- xlviii. An Act for authorising the Corporation of the Royal Infirmary of Edinburgh to remove their infirmary buildings to a more suitable position, and to acquire for that purpose the site of George Watson's Hospital and adjacent lands; and for other purposes.
- xliv. An Act to extend the time for completing the works of the Milford Haven Dock and Railway Company; to lease the undertaking; and for other purposes.
- 1. An Act for extending the time for the completion of the Bedford and Northampton Railway.
- ii. An Act for enabling the Reading Gas Company to raise additional Capital; to construct new Works; for extending their Limits of Supply; and for other purposes.
- lii. An Act for making alterations in the authorised Metropolitan Railways of the Great Eastern Railway Company, and for extending the time for the completion thereof; and for conferring upon that Company and upon certain other companies other powers in connexion with the said railways; and for other purposes.
- liii. An Act for empowering the Mayor, Aldermen, and Burgesses of the city and borough of Bath to more effectually supply with Water the city and borough of Bath; and for other purposes.
- liv. An Act to authorise the Trustees of the Clyde Navigation to construct a Dock or Tidal Basin, Quays, Tramways, and other works at the Harbour of Glasgow; to abandon certain works, and to borrow additional money; and for other purposes.
- lv. An Act to enlarge the powers of the East London Railway Company for the compulsory purchase of lands and for the completion of works, and to enable them to raise further money; to confirm and authorise agreements between the East London and other Railway Companies; and for other purposes.
- lvi. An Act for the transfer to the mayor, aldermen, and burgesses of the borough of Leeds of the undertakings of the Leeds Gaslight Company and the Leeds New Gas Company; and for other purposes.
- lvii. An Act for better supplying with Water the town of Ruabon and places adjacent, in the county of Denbigh.
- lviii. An Act to authorise the Limerick and Ennis Railway Company to cancel certain authorised but unissued Shares, and to borrow on Mortgage in lieu thereof, and to issue Debenture Stock; and for other purposes.
- lix. An Act to authorise the Limerick and Foynes Railway Company to cancel certain authorised but unissued preference shares, and to borrow on mortgage in lieu thereof, and to issue debenture stock; and for other purposes.
- lx. An Act to confer further powers on the Company of Proprietors of the Birmingham Canal Navigations; and for other purposes.
- lxi. An Act to enable the Gloucester and Berkeley Canal Company to extend and improve their works, to convert their existing capital into stock; and for other purposes.
- lxii. An Act to enlarge the powers of the London and Blackwall Railway Company, and to enable them to abandon certain Railways authorised by "The London, Blackwall, and Millwall Extension Railway Act, 1865."
- lxiii. An Act for conferring additional powers on the Midland Railway Company for the construction of works, and for the raising of further capital; and for other purposes.
- lxiv. An Act to extend the Limits and increase the Capital of the Shipley Gaslight Company; and for other purposes.
- lxv. An Act to authorise the construction of a Bridge over the River Ouse in the county of York, to be called "Cawood Bridge."
- lxvi. An Act to authorise the Waterworks Commissioners of Kirkcaldy and Dysart to raise a further sum of money, and to amend "The "Kirkcaldy and Dysart Waterworks Act, 1867;" and for other purposes.
- lxvii. An Act to extend the time for the completion of Stapenhill Bridge at Burton-upon-Trent.
- lxviii. An Act for more effectually lighting with Gas Buxton and other places in Derbyshire.
- lxix. An Act to enable the Local Board for the district of Cleckheaton to make and supply Gas, and to purchase the undertaking of the Cleckheaton Gas Company, to confer other powers in relation to gas on the said Local Board; and for other purposes.
- lxx. An Act for granting further powers to the Imperial Continental Gas Association.
- lxxi. An Act to enable the Great Northern Railway Company to abandon the construction of the Watford and Edgware Railway.
- lxxii. An Act to authorise the Dare Valley Railway Company to raise additional capital, to abandon a portion of their authorised railway, and to lease their undertaking to the Taff Vale Railway Company; and for other purposes.
- lxxiii. An Act to authorise the Llantrissant and Taff Vale Junction Railway Company to abandon the construction of a certain railway authorised by "The Llantrissant and Taff Vale Junction Railway Act, 1866;" and to extend the time for the completion of another railway authorised by the same Act; and to lease their undertaking to the Taff Vale Railway Company; and for other purposes.
- lxxiv. An Act for the revival of the powers and extension of the time for the compulsory purchase of lands and completion of the railway authorised by "The Girvan and Portpatrick Junction Railway Act, 1865," and also for enabling the Girvan and Portpatrick Junction Railway Company to divide and convert the shares in their capital into preferred and deferred shares; and for other purposes.
- lxxv. An Act for extending the Limits within which the Cardiff Gaslight and Coke Company may supply Gas, and for empowering the Company to raise additional Capital; and for other purposes.
- lxxvi. An Act incorporating and conferring further powers on the Carmarthen Gas Company.
- lxxvii. An Act to incorporate a Company for better supplying with Gas and Water the township of Rainhill, in the parish of Prescot and county palatine of Lancaster; and for other purposes.



- lxxviii. An Act for the abandonment of the extension authorised by "The Blane Valley Railway Extension Act, 1865;" and for other purposes.
- lxxix. An Act for authorising the Lancashire and Yorkshire Railway Company and the London and North-western Railway Company to run Steam Vessels between Fleetwood and Belfast; and for other purposes.
- lxxx. An Act for conferring powers on the Lancashire and Yorkshire Railway Company for the construction of a railway and other works, and the acquisition of lands, in the west riding of the county of York and the county of Lancaster; and for other purposes.
- P. lxxxi. An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.
- P. lxxxii. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Alum Bay, Dartmouth, Ilfracombe, Penryn, and Walton-on-the-Naze.
- lxxxiii. An Act for vesting in the Great Western Railway Company the undertaking of the Company of Proprietors of the Herefordshire and Gloucestershire Canal Navigation; and for other purposes.
- lxxxiv. An Act for enabling the London and North-western and the Lancashire and Yorkshire Railway Companies to alter and enlarge their station at Preston, and in connection therewith to acquire lands and execute certain works, and for authorising Agreements between the Companies in reference to those and other matters; and for other purposes.
- lxxxv. An Act to incorporate the Colne Fishery Company, and to authorise the demise to them of the Fishery of the River Colne.
- lxxxvi. An Act to enable the Dublin and Antrim Junction Railway Company to raise further moneys by borrowing; and for other purposes.
- lxxxvii. An Act for carrying into effect Arrangements with respect to Commons parcel of the Manor of the City of Lincoln.
- lxxxviii. An Act to make provision for supplying the Borough of Yeovil with Water; for amending "The Borough of Yeovil Extension and "Improvement Act, 1854;" and for other purposes.
- lxxxix. An Act to extend for a further Period the Time for the construction of a Portion of the Railway authorised by the Great Northern and Western (of Ireland) Railway Act, 1861; and for other purposes.
- xc. An Act to authorise the Tyne Improvement Commissioners to collect certain Coal and other Dues now collected by the Mayor, Aldermen, and Burgesses of the borough of Newcastle-upon-Tyne, and to apply the whole thereof to the Tyne Improvement Fund; and for other purposes.
- xc. An Act to amend "The Edinburgh and Bathgate Railway Act, 1846," with respect to the Rents payable under the Lease thereby authorised; and for other purposes.
- xcii. An Act for the abandonment of the authorised street from the Thames Embankment below Charing Cross railway bridge to Wellington Street, Strand; and for other purposes.
- xciii. An Act for making further provision with respect to the Sanitary Condition of the Borough of Leeds; and for other purposes.
- xciv. An Act to enable the Metropolitan District Railway Company to make a Station near Bread Street, and for other purposes with respect to the same Company.
- xcv. An Act for amending and extending the Acts relating to the supply of Water and Gas in the Borough of Halifax and its neighbourhood, and to the improvement of that borough; and for other purposes.
- xcvi. An Act to enable the lord mayor, aldermen, and burgesses of Dublin to enlarge and extend portions of the Dublin Corporation Waterworks; to amend the Dublin Corporation Waterworks Acts, 1861, 1863, and 1866; to construct additional filter beds; to lay down additional mains or pipes; to consolidate their powers; to confirm agreements; and for other purposes.
- xcvii. An Act to authorise the Belfast Harbour Commissioners to sell their surplus lands, and to make leases.
- xcviii. An Act to enable the Sevenoaks, Maidstone, and Tunbridge Railway Company to make a deviation of their authorised railway; to extend the time for making a part of the same; and for other purposes.
- xcix. An Act to amalgamate the Atlantic Telegraph Company with the Anglo-American Telegraph Company, and to provide for the dissolution of the Atlantic Telegraph Company; and for other purposes.
- c. An Act for making Intercepting and Outfall Sewers for Brighton and certain neighbouring districts; and for other purposes.
- ci. An Act to lease the Great Northern and Western (of Ireland) Railway to the Midland Great Western Railway (of Ireland) Company; and for other purposes.
- cii. An Act for conferring additional powers upon the Company of Proprietors of the Skipton Waterworks with reference to their undertaking and the raising of money; and for other purposes.
- ciii. An Act to extend the time for the construction by the Metropolitan Railway Company of the Tower Hill Extension.
- civ. An Act to authorise Alterations in the Stobcross Railways and other works; to confer Powers upon the Trustees of the Clyde Navigation and others in reference to the Stobcross undertaking; to extend the time for the Purchase of Land and completion of various Railways; to convert Port Edgar into a Harbour; to provide for the Conversion of the Leadburn Preference Stock into Ordinary Stock, and for the Consolidation of the Lien Stocks of the North British Railway Company; and for other purposes.
- cv. An Act for enabling the North-eastern Railway Company to construct a railway from Leyburn to Hawes, and other works, and acquire additional lands; for the abandonment of the authorised Hawes and Melmerby Railway; and for vesting in the Company the undertaking of the West Durham Railway Company; and for other purposes.
- cvi. An Act for empowering the Brighton and Hove General Gas Company to construct works at or near New Shoreham Harbour, and to acquire a site for the same; and for other purposes.
- cvii. An Act to extend the time for the completion of the Railway and Works of the Navan and Kings Court Railway Company, to enable

- that Company to enter into working and other agreements with certain Companies; and for other purposes.
- cxviii. An Act for the arrangement by Arbitration of the Affairs of the Newry and Armagh Railway Company.
- cix. An Act for the Abandonment of the Railways authorized by "The Tottenham and Hampstead Junction Railway Act, 1865;" and for other purposes.
- cx. An Act for making railways from Barnstaple to Ilfracombe; and for other purposes.
- cx. An Act to enable the Downpatrick, Dundrum, and Newcastle Railway Company to grant a lease of their undertaking; and for other purposes.
- cxii. An Act for conferring additional powers on the London and North-western Railway Company in relation to their own undertaking and the undertakings of other Companies; and for other purposes.
- cxiii. An Act for extending the limits of the district under the authority of the West Hartlepool Improvement Commissioners, and for making better provision for the improvement and government of the extended district; and for other purposes.
- P. cxiv. An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Blackpool, Bristol, Eton, Heckmondwike, Kidderminster, Lincoln, Nottingham, Plymouth, South Molton, Wallasey, and Ware; and for other purposes relative to certain districts under the said Act.
- P. cxv. An Act to confirm Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burghs of Dunfermline and Perth.
- P. cxvi. An Act for confirming a Scheme of the Charity Commissioners for the Jewish United Synagogues.
- P. cxvii. An Act for confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John in the borough of Southwark.
- cxviii. An Act for conferring on the London and North-western Railway Company additional powers, and making further provision with respect to steam communication between Holyhead and Ireland; and for other purposes.
- cxix. An Act for supplying Littlehampton and certain adjacent parishes in the county of Sussex with Water.
- cx. An Act for the better management of the Town Moor of the borough of Newcastle-upon-Tyne, and for the further improvement and better government of the borough; and for other purposes.
- cxxi. An Act to enable the Gaslight and Coke Company to purchase the undertaking of the Victoria Docks Gas Company; and for other purposes.
- cxvii. An Act for authorising an Extension of the existing railway of the Midland Counties and South Wales Railway Company to the Buckinghamshire Railway, and for reviving the powers and extending the time for purchase of lands and construction of works authorised by a former Act of the Company; and for suspending legal proceedings against the Company; and for altering the financial arrangements of the Company; and for other purposes.
- cxviii. An Act for extending the limits within which the Newcastle and Gateshead Water Company may supply water, and for empowering them to construct additional works, and to raise additional capital; and for other purposes.
- cxv. An Act to authorise the construction of a Subway under the Thames between Southwark and the City of London.
- cxv. An Act to extend the time for the completion of the Wandsworth Bridge and Approaches; and for other purposes.
- cxvi. An Act to confer additional powers on the Dublin, Wicklow, and Wexford Railway Company for the construction of works and other matters relating to their undertaking; and to enable the Company and the London and North-western Railway Company to make traffic arrangements; and other purposes.
- cxvii. An Act to enable the Pembroke and Tenby Railway Company to extend their railway to Pembroke Dockyard, and to make arrangements with the Admiralty; and for other purposes.
- cxviii. An Act to authorise the Company of Proprietors of the Birmingham Waterworks to extend their limits of supply, to construct further works; and for other purposes.
- cxix. An Act for amending and extending the provisions of the Acts relating to the borough of Salford; for authorising certain street improvements; and for other purposes.
- cxix. An Act to authorise the Bristol and North Somerset Railway Company to deviate from the authorised line of their Railway at Radstock; and for other purposes.
- cxvi. An Act for making better provision for the supply of Water to a district consisting of the boroughs of Ashton-under-Lyne and Stalybridge, and the district of the Dukinfield Local Board of Health, and their respective neighbourhoods; and for other purposes.
- P. cxviii. An Act to confirm a Provisional Order under the "Public Health (Scotland) Act, 1867," relating to the Burgh of Fraserburgh.
- cxviii. An Act for enabling the Local Board of Health in and for the District of the Borough of Reading to execute certain works for the Improvement of the Water Supply and Sewerage of the Borough, and the Drainage of Lands in and adjoining thereto; and for other purposes.
- cxv. An Act to extend the time for the compulsory purchase of lands, and completion of the Waterworks authorised by the Act relating to the Rotherham and Kimberworth Local Board of Health; and to authorise the said board to construct Gasworks, and to purchase the undertaking of the Rotherham Gaslight and Coke Company; and to authorise various agreements with respect to Water and Gas; and for other purposes.
- cxv. An Act to authorise the North British Railway Company to make railways and a bridge across the Tay near Dundee, to connect their system with the railways of the Caledonian Railway Company east and west of Dundee; and for other purposes.
- cxv. An Act to enable the Ryde Pier Company to extend their railway to the station of the Isle of Wight Railway at Ryde; and for other purposes relating thereto.
- cxv. An Act for granting further powers to "The Saint Helens Gas Company."



cxxxviii. An Act to incorporate a Company for establishing and holding a Market and Fairs in the town and parish of Thrapston, in the County of Northampton; and for other purposes.

cxxxix. An Act to extend the powers of the Dublin Trunk Connecting Railway Company for the taking of lands and completion of their undertaking, to change the name of the Company; and for other purposes.

cxl. An Act for conferring further powers on the Great Western Railway Company in relation to their own undertaking and the undertakings of other Companies; and for other purposes.

cxli. An Act to extend the time for the purchase of lands and for the construction of the Halifax and Ovenden Junction Railway, and to vest the said railway in the Lancashire and Yorkshire and the Great Northern Railway Companies.

cxlii. An Act to amend the Exmouth Docks Act, 1864.

cxliii. An Act to extend and define the Limits of the Borough of Enniskillen; to enable the Commissioners for that Borough to construct Waterworks, and supply Water; and for other purposes.

cxliv. An Act for empowering the Corporation of Oldham to construct additional Waterworks and for extending their limits of supply of Water and Gas, and for amending The Oldham Borough Improvement Act, 1865; and for other purposes.

cxlv. An Act to authorise the Construction of Railways in the City of Worcester; and for other purposes.

cxlvi. An Act to enable the Bury Saint Edmunds and Thetford Railway Company to make a Deviation in their authorised Railway; and for other purposes.

cxlvii. An Act for empowering the South-eastern Railway Company to abandon certain authorised Lines, and for extending the time for purchase of Lands and Completion of Works of certain other Lines, and for making better provision respecting Hotels, and for amending the Company's Acts; and for other purposes.

cxlviii. An Act to extend the time for purchase of Lands, and for the completion of the Harborne Railway.

cxlix. An Act for extending and amending the Acts relating to the Navigation and Conservancy of the Thames; and for other purposes.

cl. An Act to extend the time and continue the powers granted to the Halesowen and Bromsgrove Branch Railways Company for the compulsory purchase of Lands, and for the completion of Railways in the County of Worcester, and to authorise that Company to abandon a certain Railway in the same county; and for other purposes.

cli. An Act for extending the time for the completion of the authorised works of the Burnham Tidal Harbour Company.

clii. An Act for extending the time for the completion of the Teign Valley Railway, and for conferring additional powers upon the Teign Valley Railway Company; and for other purposes; and of which the short title is "Teign Valley Railway Act, 1870."

cliii. An Act for making a Railway extending from the authorised Newport Railway to Long

Craig, in the County of Fife; for abandoning the Newport Deviation Railway; and for other purposes.

cliv. An Act to authorise the London, Brighton, and South Coast Railway Company to abandon the Worthing Junction, and to make a short Railway for improving the communication with Eastbourne, and to acquire additional Lands, and to sanction Agreements between them and the South-eastern Railway Company; and for other purposes.

clv. An Act for making better provision for the Cure of Souls within the limits of the Parish of Leverington, and of certain adjacent Parishes, all in the County of Cambridge and the Diocese of Ely.

P. clvi. An Act to confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet.

P. clvii. An Act to confirm a Provisional Order under "The Drainage of Lands (Ireland) Act, 1863," and the Acts amending the same.

P. clviii. An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Falmouth, Irvine, Kinsale, Mousehole, St. Leonards-on-Sea, and Ventnor.

P. clix. An Act for confirming a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Burntisland.

clx. An Act to enable the Corporation of Blackburn to construct Works for Sewage Utilization; to acquire Lands for that purpose; to provide a Cattle Market; to improve the Borough; and to raise further Moneys; and to confer upon the Corporation additional Powers; and for other purposes.

clxi. An Act to give further time for the completion of the Works authorised by "The Alexandra (Newport) Dock Act, 1865," and for the compulsory purchase of Lands for the Railways by that Act authorised; and for other purposes.

clxii. An Act for facilitating the Sale and Transfer of the Property or Undertaking of the Dagenham (Thames) Dock Company, in liquidation; and for other purposes.

clxiii. An Act for extending the Powers of the Newry and Greenore Railway Company.

clxiv. An Act for extending the time for the completion of the Poole and Bournemouth Railway, and of which the short title is "Poole and Bournemouth Railway Act, 1870."

P. clxv. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Merthyr Tydfil.

clxvi. An Act for dissolving the Ellesmere and Glyn Valley Railway Company and re-incorporating the same as "The Glyn Valley Tramway Company," with power to construct Tramways; and for other purposes.

clxvii. An Act to authorise the Pimlico, Peckham, and Greenwich Street Tramways Company to construct additional passing places and to convert certain of their authorised Tramways into double lines of Tramway; and for other purposes.

clxviii. An Act to authorise the Construction of Tramways from Birmingham in the county of Warwick to Handsworth, West Bromwich, and Tipton in the county of Stafford; and for other purposes.

- clxix. An Act to authorise the Construction of Tramways in the towns of Plymouth, Stonehouse, and Devonport, in the county of Devon; and for other purposes.
- clxx. An Act to authorise the Construction of Street Tramways in the Borough of Portsmouth; and for other purposes.
- clxxi. An Act to authorise the Construction of Street Tramways in certain parts of the Metropolis; and for other purposes.
- clxxii. An Act to empower the North Metropolitan Tramways Company to construct new Street Tramways; and for other purposes.
- clxxiii. An Act to authorise the Metropolitan Street Tramways Company to extend their Tramways; and for other purposes.
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- clxxv. An Act to authorise the Construction of Street Tramways in certain parts of the city of Glasgow and its suburbs; and for other purposes.
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- clxxvii. An Act to authorise the Construction of Street Tramways in certain parts of the Suburbs of Birmingham; and for other purposes.

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## PRIVATE ACTS,

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1. **A**N Act to enlarge the Powers of an Act enabling the Rector of the Parish of Saint Luke, Chelsea, in Middlesex, to grant Building and Repairing Leases.
2. An Act for the Extension of the Owens College, Manchester; and for other purposes.
3. An Act for enabling the trustees of the will of the late Right Honorable James Mann Earl Cornwallis, deceased, to improve and develop his estate at Hastings; and for other purposes.
4. An Act to amend "An Act to authorise the borrowing of money on the security of the entailed estate of Downie Park, in the county of Forfar, or the sale of a portion of the estate, for the purpose of paying the debts and legacies affecting the same;" and to make further provision for the sale of the estate.



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TO

## HANSARD'S PARLIAMENTARY DEBATES,

IN THE SECOND SESSION OF

THE TWENTIETH PARLIAMENT OF THE UNITED KINGDOM.

33° & 34° VICTORIA.

1870.

### EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1<sup>a</sup>, 2<sup>a</sup>, 3<sup>a</sup>, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negated.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—*R. P.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a \* is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus \*, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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- c. Motion for Leave (*The Lord Advocate*) Mar 4, [199] 1321; Bill ordered, after short debate; read 1<sup>o</sup>\* [Bill 62]  
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- c. Ordered; read 1<sup>o</sup>\* Feb 9 [Bill 4]  
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*Chelsea—Proposed Cavalry Barracks*, Question, Sir Charles W. Dilke; Answer, Mr. Cardwell *June* 20, [202] 491

*Chelsea and Kilmainham Hospitals*, First Report . . . . . *Parl. P.* [191] 217

*Coldstream and Fusilier Guards, Promotion in*, Question, Colonel Kingscote; Answer, Mr. Cardwell *May* 2, [201] 5

*Colonels on Half-Pay*, Question, Lord Ronald Gower; Answer, Mr. Cardwell *Feb* 22, [199] 689

*Colonels, Supersession of*, Correspondence—*Parl. P.* [256, 256-1]

*Colonies, The—The 18th Regiment*, Question, Mr. R. Torrens; Answer, Mr. Monsell *April* 25, [200] 1728

*Colonies—Withdrawal of Troops*—*Parl. P.* 38, 254

*Commission, Retirement by Sale of, Circular* 220, 1862, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *July* 21, [203] 641

*Commissions, Direct*, Question, Mr. H. R. Brand; Answer, Mr. Cardwell *June* 23, [202] 784; Question, Sir John Lubbock; Answer, Mr. Cardwell *August* 1, [203] 1282; Question, Captain Staapool; Answer, Mr. Cardwell *August* 4, 1520

*Commissions, Purchase of*, Question, Lord Eustace Cecil; Answer, Mr. Cardwell; short debate thereon *Mar* 10, [199] 1623; Question, Major Dickson; Answer, Mr. Cardwell *Mar* 11, 1744; Question, Sir Patrick O'Brien; Answer, Mr. Cardwell *July* 21, [203] 642

*Control Department*, Question, Colonel Sykes; Answer, Mr. Cardwell *August* 1, [203] 1272

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*Control Department and the Royal Engineers*, Question, Mr. White; Answer, Mr. Cardwell *Mar* 21, [200] 317

*Control Department—Transport Branch of Military Train*, Questions, Mr. Raikes, Colonel Loyd Lindsay; Answers, Mr. Cardwell *May* 19, [201] 967

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Cotton Socks, Returns . . . 451

*Control Sub-Departments*, Question, Lord R. Montagu; Answer, Mr. Cardwell *July* 7, [202] 1615

*Convicted Army Recruits*, Question, Mr. Staapool; Answer, Mr. Cardwell *May* 5, [201] 275

*Cornets and Ensigns*, Question, Mr. Pemberton; Answer, Mr. Cardwell *Mar* 18, [200] 207; Question, Major Dickson; Answer, Mr. Cardwell *June* 16, [202] 265

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*Defensive Forces of the Country—The War*, Question, Mr. Osborne; Answer, Mr. Cardwell *August* 1, [203] 1279

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*Our Military Resources*, Questions, Mr. Sinclair Aytoun, Mr. J. Lowther, Colonel Gilpin, Lord Garlies; Answers, Mr. Cardwell, Captain Vivian *August* 2, [203] 1435

*Reserve*—Present strength of—*Parl. P.* 104  
*Strength of the Army*, Question, Captain Talbot; Answer, Mr. Cardwell *July* 28, [203] 1100; *August* 1, 1274

*Drill Book, Revised*, Question, Mr. Acland; Answer, Mr. Cardwell *August* 4, [203] 1523

*Field Officers—Sale of Commissions*, Question, Mr. Gourley; Answer, Mr. Cardwell *Mar* 21, [200] 318

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*Bristol Channel, Defences of the*, Question, Mr. R. Bright; Answer, Mr. Cardwell *August* 1, [203] 1280

*Falmouth, Fortifications of*, Question, Mr. Eastwick; Answer, Mr. Cardwell *August* 10, [203] 1768

*Guards, Brigade of—Reduction of Field Officers*, Question, Lord George Hamilton; Answer, Captain Vivian *Mar* 1, [199] 999  
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*Horses, Export of*, Question, Sir Harry Verney; Answer, Mr. Gladstone *August* 5, [203] 1579

*Hoskins, Mr., Case of*, Question, Mr. M. T. Bass; Answer, Mr. Cardwell *June* 30, [202] 1202

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*Army Regulations*, Question, Colonel North; Answer, Mr. Grant Duff *June* 14, [202] 99

*Artillery in India*, Question, Captain Beaumont; Answer, Mr. Grant Duff *August* 4, [203] 1520

*Cadets in the Indian Army*, Question, Mr. Salt; Answer, Mr. Grant Duff *June* 24, [202] 894

*Colonels of Indian Army*, Question, Major Anson; Answer, Mr. Cardwell *May* 3, [201] 106

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- Kirwee Prize Money*—[See title *Army (India)*—*Kirwee Prize Money*]  
*Muzzle-Loading Rifle*, Question, Colonel Lindsay; Answer, Mr. Cardwell July 28, [203] 1091  
*Pay of Officers in India*, Question, Mr. Sta-  
 poole; Answer, Mr. Cardwell June 23, [202] 785  
*Regiments in India—The Non-purchase Corps*,  
 Question, Colonel Annesley; Answer, Captain  
 Vivian Mar 1, [199] 1001  
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*tillery—Indian Service*  
*Ireland, Commander-in-Chief in*, Question, Mr.  
 Vance; Answer, Mr. Cardwell July 14,  
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*Lundy, Deputy Commissary General*, Question,  
 Mr. Dease; Answer, Mr. Cardwell July 21,  
 [203] 640  
*Medical Regulations—West Coast of Africa*,  
 Question, Mr. Raikes; Answer, Mr. Cardwell  
 Mar 7, [199] 1372  
*Military Education*—See title *Army—Report*  
*of Military Education Commission*  
*Military Firearms, Sale of*, Question, Mr.  
 Dickinson; Answer, Mr. Cardwell Mar 29,  
 [200] 828  
*Military Labour—Employment of Soldiers*,  
 Question, Mr. Hanbury-Tracy; Answer, Mr.  
 Cardwell Feb 28, [199] 885—on *Telegraphs*,  
 Question, Mr. Hanbury-Tracy; Answer,  
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*mittee*, Question, Mr. Hanbury-Tracy; An-  
 swer, Mr. Cardwell July 21, [203] 642  
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*ment*, Question, Colonel Stuart Knox; An-  
 swer, Mr. Cardwell Mar 24, [200] 571  
*Military Punishments*, Question, Mr. Russell  
 Gurney; Answer, Sir Colman O’Loughlen  
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*Military Reserve Funds*, Question, Colonel  
 North; Answer, Mr. Cardwell May 31,  
 [201] 1701  
*Military Stores*  
*Ammunition in Store*, Question, Mr. Percy  
 Wyndham; Answer, Mr. Cardwell July 25,  
 [203] 868  
*Inspection of*, Question, Mr. Miller; Answer,  
 Mr. Cardwell May 19, [201] 965  
*Producing Power of our Arsenals*, Question,  
 Captain Beaumont; Answer, Mr. Cardwell  
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*Supplying Reserve Ammunition to Troops in*  
*the Field*, Question, Colonel Clive; Answer,  
 Mr. Cardwell August 8, [203] 1687  
*Military Surgeons at French and Prussian*  
*Head Quarters*, Question, Major Anson;  
 Answer, Mr. Cardwell July 21, [203] 649  
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*Irish Militia, Embodiment of the*, Question, Mr.  
 Staupoole; Answer, Captain Vivian Feb 11,  
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*Irish Militia, Staff Sergeants of*, Question,  
 Lord Claud John Hamilton; Answer, Mr.  
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- Militia and Volunteers—Issue of Breech-*  
*Loaders to*, Question, The Earl of Fever-  
 sham; Answer, Lord Northbrook; short  
 debate thereon August 1, [203] 1268  
*Militia Artillery*, Question, Mr. Bourke; An-  
 swer, Mr. Cardwell August 5, [203] 1579  
*Militia Desertion*, Question, Colonel Beresford;  
 Answer, Mr. Cardwell August 8, [203] 1686  
*Militia Orders for 1870*, Question, Mr. Beach;  
 Answer, Mr. Cardwell April 28, [200] 1967  
*Officers of Militia—Exemption of, from parish*  
*offices*, Question, Colonel Corbett; Answer,  
 Mr. Cardwell Mar 11, [199] 1737—*The*  
*Horse Duty*, Questions, Colonel Gilpin,  
 Colonel Corbett; Answers, Mr. Stansfeld,  
 Mr. Cardwell August 4, [203] 1522  
*Quartermasters of Militia*, Question, Viscount  
 Enfield; Answer, Captain Vivian Mar 8,  
 [199] 1481; Question, Mr. Wingfield Baker;  
 Answer, Mr. Cardwell Mar 21, [200] 321;  
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 Cardwell June 9, [201] 1829; Question,  
 Colonel Corbett; Answer, Mr. Cardwell  
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*Retired Field Officers of Militia*, Question, Mr.  
 Jones-Parry; Answer, Mr. Cardwell Mar 7,  
 [199] 1368  
*March, Deaths on, 9th and 94th Regiments*,  
 Questions, Mr. Dent, Lord Ernest Bruce, Sir  
 Patrick O’Brien, Mr. Selater-Booth, Lord  
 Eustace Cecil; Answers, Mr. Cardwell  
 June 27, [202] 999; Question, Mr. O’Reilly;  
 Answer, Mr. Cardwell June 30, 1211; Ques-  
 tions, Mr. Anderson, Sir Patrick O’Brien;  
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*Non-Purchase Corps—Service in*, Question,  
 Colonel Annesley; Answer, Captain Vivian  
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*Ordnance Survey Works*, Question, Mr. Wren-  
 Hoskyns; Answer, Mr. Ayrton April 11,  
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*Over-Regulation Price*, Question, Sir Charles  
 Wingfield; Answer, Mr. Cardwell July 28,  
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*Over-Regulation Purchase Money—The New*  
*Regulations*, Questions, Sir Robert An-  
 struther, Major Anson; Answers, Mr. Card-  
 well Mar 7, [199] 1369; Question, Colonel  
 White; Answer, Mr. Cardwell Mar 10, 1629;  
 Explanation, Mr. Cardwell Mar 14, 1876  
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*Prize Money*, Account of 1809 to 1869 *P. P.* 333  
*Promotion in the Artillery and Engineers*,  
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 well Mar 10, [199] 1626  
*Promotion—The 17th Foot*, Question, Sir  
 Edmund Lacon; Answer, Mr. Cardwell  
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*Recruiting Districts, Paymasters of*, Question,  
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*Re-Enlistment*, Question, Colonel C. Lindsay ; Answer, Mr. Cardwell *Mar* 18, [200] 204

*Regimental Officers, Expenses of*, Question, Major Walker ; Answer, Mr. Cardwell *Mar* 11, [199] 1739

*Reserve Forces, Officers in the*, Question, Mr. W. E. Price ; Answer, Mr. Cardwell *August* 1, [203] 1282

*Retirement, Artillery and Engineers*, Question, Sir John Esmonde ; Answer, Captain Vivian *July* 22, [203] 735

*Retirement from the Army*, Question, Mr. Malcolm ; Answer, Mr. Cardwell *Mar* 10, [199] 1631  
[See *Commissions*]

*Secretary of State for War—The General Commanding-in-Chief*, Question, Colonel Stuart Knox ; Answer, Mr. Cardwell *Mar* 21, [200] 322 ; Question, Viscount Barrington ; Answer, Mr. Cardwell *June* 30, [202] 1089

*Service Ammunition (Ireland)*, Question, Mr. Staapole ; Answer, Mr. Cardwell *Feb* 11, [199] 167

*Small Arms*

Question, Mr. Miller ; Answer, Mr. Cardwell *July* 29, [203] 1194

*Martini-Henry Rifle*, Question, Colonel Bartolot ; Answer, Mr. Cardwell *July* 7, [202] 1616

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*Rifles—Returns* . . . *Parl. P.* 453

*Small Arms, Committee on—Martini-Henry Rifle*, Question, Mr. O'Reilly ; Answer, Mr. Cardwell *July* 25, [203] 869 ; Question, Colonel Wilson-Patten ; Answer, Mr. Cardwell *July* 26, 950

*Snider Rifles*, Question, Colonel Brise ; Answer, Mr. Cardwell *Mar* 15, [199] 1962

*Staff Appointments* — see title *Army — Staff Appointments*

*Tipperary Workhouse, Troops in the*, Question, Mr. Heron ; Answer, Mr. Chichester Fortescue *June* 16, [202] 263

*Unattached Promotions*, Question, Mr. Sinclair Aytoun ; Answer, Mr. Cardwell *Mar* 11, [199] 1739 ; Question, Viscount Crichton ; Answer, Mr. Cardwell *April* 4, [200] 1170

*Volunteers*

*Issue of Breech-Loaders*, Question, Mr. Roden ; Answer, Mr. Cardwell *Feb* 22, [199] 684 ; Question, Lord Elcho ; Answer, Mr. Cardwell *April* 29, 2061 ; Question, Lord Eustace Cecil ; Answer, Mr. Cardwell *July* 25, [203] 873 ; Question, Mr. Solater-Booth ; Answer, Mr. Cardwell *August* 8, 1692

*Re-issue of Rifles—Districts 6, 8, and 10*, Question, Colonel Wilmot ; Answer, Captain Vivian *Feb* 25, [199] 800 ; Question, Colonel Wilmot ; Answer, Mr. Cardwell *Mar* 29, [200] 829 ; Question, The Earl of Feversham ; Answer, Lord Northbrook ; short debate thereon *August* 1, [203] 1268

*The 13th Lincolnshire Rifles—Removal of Officers*, Question, Mr. Welby ; Answer, Mr. Cardwell *June* 13, [201] 1941

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*Volunteer Artillery*—Reports on, at Shoebury-ness . . . *Parl. P.* [153]

*Volunteer Capitation Grant*, Question, Mr. Anderson ; Answer, Mr. Cardwell *July* 21, [203] 641 ; Question, Mr. Muntz ; Answer, Captain Vivian *July* 22, 735 ; Question, Colonel C. Lindsay ; Answer, Mr. Cardwell *August* 4, 1522

*Volunteer Force*, Question, Mr. Anderson ; Answer, Mr. Cardwell *August* 1, [203] 1279

*Whitworth Gun Metal*, Question, Mr. Hanbury-Tracy ; Answer, Captain Vivian *May* 9, [201] 395

*Wimbledon Review*, Question, Major Dickson ; Answer, Mr. Cardwell *July* 28, [203] 1095 ; Question, Colonel Beresford ; Answer, Mr. Cardwell *August* 1, 1280

*Woolwich Arsenal — Pensioners*, Question, Colonel Beresford ; Answer, Captain Vivian *Mar* 1, [199] 999

*Yeomanry Cavalry*, Question, Mr. Neville-Grenville ; Answer, Mr. Cardwell *Feb* 11, [199] 166

*The Yeomanry — Training*, Question, Mr. Sackville-Stopford ; Answer, Mr. Cardwell *Mar* 18, [200] 201

*Schedule of Revised Establishments P. P.* [94]

*Army—Artillery and Rifles*

Address for "Returns of the number of Field and of Horse Artillery Batteries at Home, with the number of men and of horses attached to each Battery, and the number of men and of horses required to place each Battery in a condition for active service in the field ; of the number of Field Guns in Store ; and, of the number of sets of Harness in Store" (*Mr. Sinclair Aytoun*)

Address for "Returns of the number of Breech-loading Infantry Rifles produced since the adoption of the Snider breech-loading principle, giving the numbers obtained by the conversion of muzzle-loading rifles into breech-loaders ; of the number obtained by the direct manufacture of Breech-loaders ; of the number of Breech-loading Rifles issued to the regular troops and the reserve forces, specifying the number issued to each regiment ; and, of the number of Breech-loading Rifles of all descriptions now in store" (*Mr. Sinclair Aytoun*) *August* 8, [203] 1726 ; after short debate, Motion agreed to

Returns . . . *Parl. P.* 452, 453

*Army—Boxer, Colonel, Dismissal of*

Motion for "Copy of Papers relating to the dismissal of Colonel Boxer from the office of Superintendent of the Royal Laboratory ; together with Correspondence relating to War Office Letter to Colonel Boxer of the 4th day of January 1863, and to the connection of Colonel Boxer with Messrs. Eley" (*Sir John Pakington*) *Feb* 15, [199] 405 ; after short debate, Motion agreed to

Amendt. on Committee of Supply *April* 29, To leave out from "That," and add "a Select Committee be appointed to inquire into and report on all the circumstances which led to the resignation of Colonel Boxer of the office

[cont.]

*Army—Boxer, Colonel, Dismissal of—cont.*

he held in the Royal Laboratory" (*Mr. O'Reilly*), [200] 2062; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Question, Major Anson; Answer, Sir John Pakington *May 5*, [201] 277

Correspondence. . . (*Parl. P.* 60, 161)

*Army—Colonels—The late Indian Army*

Moved, That a Select Committee be appointed, "to inquire into complaints of hardships urged on behalf of the Colonels of the British Army in consequence of their supersession by the Colonels of the Indian Army" (*Major Anson*) *June 28*, [202] 1168; after short debate, Motion agreed to

And, on July 6, Committee nominated as follows:—Major Anson (Chairman), Mr. Bourke, Mr. Brand, Mr. Chancellor of the Exchequer, Mr. Clay, Sir Edward Colebrooke, Mr. Grant Duff, Mr. Goldney, Sir John Hay, Sir Percy Herbert, Mr. Kirkman Hodgson, Sir Rainald Knightley, Mr. Selater-Booth, Mr. West, Sir Charles Wingfield

Question, Major Anson; Answer, Mr. Cardwell *May 3*, [201] 106

*Parl. Papers—*

Report of Select Committee *July 26* . . . 385

Claims for Compensation . . . . . 90

[See title *East India Company—The late Indian Military Services*]

*Army (India)—Kirwee Prize Money*

Amendt. on Committee of Supply *May 27*, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that the claim of Major Generals Miller, Nott, and Ludlow, on behalf of the officers and men of the late Sir G. C. Whitlock's force, employed during the War in India in 1857-58, to have Rs. 25,60,000, and other debts, due to the Kirwee Chiefs, treated as booty, may be fully inquired into, and referred for the decision of a legally constituted tribunal" (*Mr. Goldney*), [201] 1524; Question proposed, "That the words, &c.;" after long debate, Question put; A. 108, N. 67; M. 41

Correspondence. . . *l. Parl. P.* 112

*Army—Militia (Ireland)*

Amendt. on Committee of Supply *July 29*, To leave out from "That" and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Correspondence between the Lord Lieutenant of Ireland and the Secretary of State for War, relating to calling out for Training the Irish Militia Regiments in 1870, the re-enrolment of their men, or the reduction of their staff" (*Colonel French*), [203] 1234; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

*Army—Officers of Volunteer Corps—Evesham Corps*

Question, Mr. P. A. Taylor; Answer, Mr. Cardwell *June 28*, [202] 1088

*Army—Officers of Volunteer Corps—Evesham Corps—cont.*

Amendt. on Committee of Supply *July 22*, To leave out from "That," and add "to make the appointment of Commissioned Officers in the Volunteer force dependant upon social position would, in the opinion of this House, be at variance with the principles on which that force has been established, and on the maintenance of which the hope of its permanence mainly depends" (*Mr. Taylor*), [203] 785; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

*Army—Regimental Canteens*

Question, Mr. Stephen Cave; Answer, Mr. Cardwell *May 3*, [201] 109

Moved, "That an humble Address be presented to Her Majesty for, Copies of the recommendations addressed by the Home Department to Chairmen of Quarter Sessions relative to the visits of local inspectors of weights and measures to regimental canteens, and of any answers received thereto" (*The Lord Colchester*) *May 5*, [201] 268; after short debate, Motion agreed to

*Army—Report of Military Education Commission*

Amendt. on Committee of Supply *April 8*, To leave out from "That," and add "it is not desirable to diminish the value hitherto attached to natural and physical science and the English language, in the examinations for direct commissions, and for admission to the military educational institutions, nor to lessen the importance of those subjects in the subsequent course of instruction and examinations" (*Sir John Lubbock*), [200] 1552; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

*Parl. Papers—*

Minutes of Evidence . . . . . [25]

Report on Foreign Countries . . . . . [47]

6th Report of Council . . . . . [131]

*Army—Royal Artillery—Indian Service*

Amendt. on Committee of Supply *June 9*, To leave out from "That" and add "in the opinion of this House, strict impartiality in the selection for Indian service should be observed between that portion of the Royal Artillery which was formerly in the East India Company's Service, and that which was originally Royal Artillery" (*Mr. Walsh*), [201] 1826; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

*Army—Staff Appointments*

Amendt. on Committee of Supply *June 9*, To leave out from "That" and add "the Secretary of State for War should be instructed to give six months' notice to all Officers holding highly paid Staff appointments under Vote 16, that in future their regimental pay and half-pay must be withdrawn during such time as they hold such appointments" (*Mr. Anderson*), [201] 1821; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn



*Army—Staff Appointments—cont.*

Question, Mr. J. White; Answer, Mr. Cardwell July 11, [203] 30

## Parl. Papers—

Staff College Examinations . . . 128  
Staff Officers (Emoluments), Returns 96

**Army Enlistment Bill**

(*Mr. Secretary Cardwell, Captain Vivian*)

c. Ordered; read 1<sup>st</sup> April 25 [Bill 106]  
201] Bill read 2<sup>nd</sup>, after short debate May 16, 783

Committee\*—R.P. May 19

203] Committee; Report July 18, 433

. Considered July 21, 692

. Read 3<sup>rd</sup> July 22, 763

Lords' Amendts. (No. 260)

l. Read 1<sup>st</sup> (Lord Northbrook) July 22 (No. 236)

. Bill read 2<sup>nd</sup>, after short debate July 26, 930

. Committee August 1, 1262

Report\* August 2 (No. 269)

. Bill read 3<sup>rd</sup> August 4, 1516; a new clause inserted; Bill passed, and sent to the Commons

Royal Assent August 9 [33 & 34 Vict. c. 67]

*Assessed Rates Act—Votes of Ratepayers*

Question, Mr. Hibbert; Answer, Mr. W. E. Forster Mar 17, 75

**ASSHETON, Mr. R., Clitheroe**

Ballot, 2R. [203] 1039

Census, 2R. [203] 813; Comm. 1002

Education of the Blind, 2R. Amendt. [201] 247

Local Taxation, Motion for a Committee, [199] 667

Suburban Commons, 2R. [201] 567

**ATHLUMNEY, Lord**

Irish Land, 2R. [202] 230; Comm. cl. 3, 760, 780, 872; add. cl. 991

**ATTORNEY GENERAL, The (Sir R. P. Collier), Plymouth**

Army—Kirwee Prize Money, Motion for an Address, [201] 1530

Beverley Election—Mr. W. H. Cook, [199] 1364, 1365

Bridgwater and Beverley Disfranchisement, 2R. [200] 1787, 1804

Canada Railway Loan, Res. [201] 1853

Capital Sentences (Court of Appeal), 2R. [202] 731

Chancery, Court of, Appeals in, [201] 1598

Coals, Export of, to Belligerents, [203] 1094

Corrupt Practices at Elections, Motion for a Committee, [200] 1693, 1695, 1699

Corrupt Practices at Elections, Motion for a Return, [202] 1552

Dulwich College, [202] 783

Ecclesiastical Titles Act Repeal, Comm. cl. 2, [203] 1596, 1597

Edmunds, Mr. L., Motion for a Paper, [203] 513, 518, 519, 526, 534

Election Prosecutions, Fees on, [199] 1142

Evidence Further Amendment Act Amendment, Comm. add. cl. [200] 1419

Extradition, 2R. [202] 300, 305; Comm. cl. 3, Amendt. 1425

Fennelly, Mr., Motion for an Address, [203] 546

[cont.]

*ATTORNEY GENERAL, The—cont.*

203] Foreign Enlistment, 2R. 1365; Comm.

. 1505; cl. 4, Amendt. *ib.*, 1506; cl. 8, *ib.*,

. 1507; cl. 9, 1509; cl. 19, 1512; cl. 21, *ib.*,

. 1513; Consid. 1551, 1552, 1554; Amendt.

. 1555, 1556; 3R. 1587, 1593

French or Prussian Merchant Ships, [203] 1096

Hudson's Bay Company, [201] 328

Irish Land, 2R. [199] 1512; Comm. cl. 1, [200]

763, 777; cl. 3, 1527, 1533, 1978; [201]

287; cl. 4, 321, 322; cl. 5, 381; cl. 14, 424;

cl. 19, 687

Juries, 2R. [200] 1417

Limited Companies, Liquidation of, [199] 1369

Naturalization, Comm. cl. 4, [200] 1737; cl. 10, 1740

Neutrality, Proclamation of, [203] 1098

Norwich Voters Disfranchisement, 2R. [200] 1808

Oaths of Allegiance on Naturalization, 2R.

[203] 1598, 1599

Patent Office—Case of Mr. Edmunds, [201] 974, 976

Public Prosecutors, 2R. [201] 244

Sligo and Cashel Disfranchisement, 2R. [202] 314

Spain—Case of the "Tornado," [200] 2131

Stamp Duty on Leases, [201] 1985

Summary Convictions, 2R. [200] 1420

Workmen's International Exhibition, [201] 1596

*Attorneys and Solicitors in Ireland, Incorporated Society of—Petition*

Petition (Lord Chelmsford); Observations thereon Mar 25, [200] 636

Postponement of Notice Mar 31, 982

Motion for an Address "That Her Majesty will

be pleased to issue a Commission to inquire

into and report upon the total amount of

the sums received by 'The Honourable Society

of the King's Inns, Dublin,' upon the

admission of attorneys and solicitors as de-

posits for chambers, and in what manner

the same or any part thereof has been ap-

plied and disposed of, and what portion of

the amount remains unappropriated to the

purposes for which it was received, and

whether the Incorporated Society of Attor-

neys and Solicitors of Ireland are in pos-

session of suitable buildings for the accom-

modation of that branch of the profession of

which they are the governing body" (*The*

*Lord Chelmsford*) April 8, 1496; after short

debate, Motion amended, and agreed to

**Attorneys and Solicitors Remuneration**

Bill (*Mr. Rathbone Mr. George Gregory, Mr. Morley, Mr. Goldney*)

c. Ordered\* Feb 9

Read 1<sup>st</sup>\* Feb 10

[Bill 6]

Bill read 2<sup>nd</sup>, after debate Feb 23, [199] 756

Committee\*—R.P. Mar 30

Committee\*—R.P. Mar 31

Committee—R.P. April 6, [200] 1423

Committee\*—R.P. April 11

Committee\*; Report May 3

Read 3<sup>rd</sup>\* May 5

l. Read 1<sup>st</sup>\* (*The Marquess of Salisbury*) May 6

Read 2<sup>nd</sup>\* May 23 (No. 86)

Committee; Report June 13, [201] 1917

Read 3<sup>rd</sup> June 30, [202] 1195

Royal Assent July 14 [33 & 34 Vict. c. 28]

*Australia, Western—Free Emigrants*

Question, Sir James Lawrence; Answer, Mr. Monsell *Feb* 14, [199] 241; *Mar* 4, 1239

*Austria and France—Commercial Treaty with*

Question, Mr. Newdegate; Answer, Mr. Gladstone *Feb* 15, [199] 324 *Parl. P.* [33, 127]

**AYRTON, Right Hon. A. S. (Chief Commissioner of Works), *Tower Hamlets***

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**BAINES, Mr. E., *Leeds***

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199] Irish Land, 2R. 1449

200] Comm. *cl.* 1, 769, 777, 787; Amendt. 999, 1003, 1007, 1019; *cl.* 2, 1040, 1055; *cl.* 3, 1059, 1060, 1064, 1072, 1079, 1298, 1456, 1475, 1521, 1525, 1989, 1990; Amendt. 1992, 1994, 2001, 2013

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. *ib.*, *cl.* 68, 773; *add. cl.* 779, 781, 782,

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Ballot Bill

(*Mr. Leatham, Mr. Hardcastle, Mr. Hibbert, Sir Harcourt Johnstone*)

c. Motion for Leave (*Mr. Leatham*) Feb 14, [199] 268; Bill ordered, after short debate; read 1<sup>o</sup> \* [Bill 23]

Moved, "That the Bill be now read 2<sup>o</sup>" Mar 16, [200] 10

After long debate, Moved, "That the debate be now adjourned" (*Mr. Newdegate*); A. 116, N. 226; M. 110

Original Question again proposed; Moved, "That this House do now adjourn" (*Colonel Barttelot*); after short debate, Question put; A. 110, N. 220; M. 110

Original Question again proposed; after further short debate, Debate adjourned

Debate resumed July 27, [203] 1028; after debate, Question put, and agreed to; Bill read 2<sup>o</sup>, and committed for this day month

BANDON, Earl of

Irish Land, 2R. [202] 90; Comm. *cl.* 3, 758, 760; *add. cl.* 1053; *cl.* 21, 1068; 3R. 1704

Bankrupt Law Amendment (Ireland) Bill (*The Marquess of Clanricarde*)

l. Presented; read 1<sup>a</sup> April 1, [200] 1047

Bill read 2<sup>a</sup>, after debate May 3, [201] 85 (No. 61)

Committee\*; Report May 27 (No. 117)

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BARING, Mr. T., *Huntingdon*

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BARNETT, Mr. H., *Woodstock*

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**BEACH, Mr. W. W. B., Hampshire, N.**

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**BEAUMONT, Mr. Wentworth B., Northumberland, S.**

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**Beerhouses Bill**

(Mr. Secretary Bruce, Mr. Knatchbull-Hugessen)

c. Ordered \* July 27  
 Read 1<sup>o</sup> \* July 28 [Bill 248]  
 Read 2<sup>o</sup> \* July 29  
 Committee \*; Report August 2  
 Read 3<sup>o</sup> \* August 3  
 l. Read 1<sup>o</sup> \* (The Earl of Morley) August 4  
 Read 2<sup>o</sup> \* August 5 (No. 285)  
 Committee \*; Report August 6  
 Read 3<sup>o</sup> \* August 8  
 Royal Assent August 10 [33 & 34 Vict. c. 111]

**Belgium**

Neutrality Guarantees—Treaties of 1831 and 1839—Question, Mr. Somerset Beaumont; [203] Answer, Mr. Otway August 2, 1412; Questions, Sir George Jenkinson, Sir John Gray; Answers, Mr. Gladstone August 5, 1576; Observations, Mr. Gladstone; Reply, Mr. Disraeli August 8, 1699; Observations, Mr. Jacob Bright; short debate thereon August 9, 1738; Observations, Mr. Gladstone; debate thereon August 10, 1776  
 Treaty with France and Prussia, Question, Observations, Lord Cairns; Reply, Earl Granville; short debate thereon August 10, [203] 1746

**Benefices Bill (Mr. Cross, Viscount Sandon, Mr. Hibbert, Mr. Birley)**

c. Motion for Leave (Mr. Cross) Feb 22, [199] 694; Bill ordered, after short debate  
 Read 1<sup>o</sup> \* Feb 23 [Bill 46]  
 Bill read 2<sup>o</sup>, after debate May 11, [201] 535  
 Committee \*—R.P. May 18  
 Committee \*; Report May 24 [Bill 141]  
 Considered \* May 25  
 Read 3<sup>o</sup> \* May 31  
 l. Read 1<sup>o</sup> \* (The Duke of Marlborough) June 13  
 Read 2<sup>a</sup>, after debate July 4, [202] 1336  
 Order for Committee discharged, after short debate July 14, [203] 233 (No. 130)

**Benefices Resignation Bill [H.L.]**

(The Lord Bishop of Winchester)

l. Presented; read 1<sup>o</sup> \* May 27 (No. 119)  
 Read 2<sup>a</sup> June 14, 3  
 Committee \* June 27  
 Report July 4, [202] 1343 (Nos. 161, 178)  
 Moved, "That the Bill be now read 3<sup>o</sup>" July 8, 1693; after short debate, Debate adjourned  
 Debate resumed July 12, [203] 107; after short debate, on Question, "That the Bill be now read 3<sup>a</sup>," Cont. 29, Not-Cont. 18; M. 11; Bill read 3<sup>a</sup>  
 After further short debate, Amendts. made; Bill passed, and sent to the Commons

**Benefit Building Societies Bill**

(*Mr. Gourley, Sir Roundell Palmer, Mr. Stevenson, Mr. McCullagh Torrens*)

c: Ordered; read 1<sup>o</sup> \* May 3 [Bill 116]

Read 2<sup>o</sup> \* July 4

Committee\*; Report re-comm. for this day month July 27 [Bill 243]

**BENTINCK, Mr. G. A. F. CAVENDISH-Whitehaven**

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Burials, Comm. cl. 1, [203] 193

Corporation of London, 2R. Amendt. [201] 893

Ireland—Repression of Outrages, [199] 1147

Ireland—Coote, Captain, Case of, Res. [199] 1898

Municipal Boroughs (Metropolis), 2R. Amendt. [201] 861

National Gallery, Motion for Correspondence, [201] 1087

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**BERESFORD, Colonel F. M., Southwark Army—Questions, &c.**

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Wimbledon Review, The, [203] 1280

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\*Elementary Education, 2R. [200] 257; Comm. cl. 14, Amendt. [202] 1264; 3R. [203] 757

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W. H. Cook, Esq., Q.C., Question, Mr. Eykyn; Answer, Mr. Bruce Feb 25, [199] 801; Questions, Mr. Eykyn, Mr. Haviland-Burke; Answers, The Attorney General Mar 7, 1864

**Bible (Authorized Version)**

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to invite the President of the United States to concur with Her Majesty in appointing Commissioners to revise the Authorized Version of the Bible" (*Mr. Buxton*) June 14, [202] 100; after debate, Motion withdrawn

**BIDDULPH, Mr. M., Herefordshire**

India—Recall of Indian Regiments, [199] 882

**BIRLEY, Mr. H., Manchester**

Elementary Education, 2R. [200] 274; Comm. cl. 22, [202] 1323; Amendt. [203] 94;

Schedule II, 305; Consid. cl. 22, 495

France—Commercial Treaty, [200] 829; Motion for a Committee, [201] 110, 175

Parochial Councils, Leave, [202] 1134

Sale of Liquors on Sundays, 2R. [202] 1193

**Board of Trade Bill**

(*Mr. Shaw Lefevre, Mr. Stansfeld*)

c. Ordered; read 1<sup>o</sup> \* Mar 1 [Bill 56]

Bill read 2<sup>o</sup>, after short debate June 13, [201] 2008

Bill withdrawn\* August 1

**Board of Trade**

Compulsory Pilotage, Question, Mr. Graves; Answer, Mr. Shaw Lefevre July 22, [203] 736

Constitution of the, Observations, Mr. Macfie July 15, [203] 378; August 9, 1735

Statistical Returns of the, Question, Mr. Bowring; Answer, Mr. Shaw Lefevre August 9, [203] 1731

**BOLCKOW, Mr. H. W. F., Middlesbrough**

Police Superannuation, [199] 829

**"Bombay" and "Oneida" — Collision between the**

Question, Viscount Barrington; Answer, Mr. Shaw Lefevre Mar 14, [199] 1868

Board of Trade — Captain Eyre, Moved, "That, in the opinion of this House, there is nothing in the evidence taken by the Naval Court of Inquiry, or in the Correspondence which has been laid before Parliament, to justify the severe reprimand administered by the Board of Trade to Captain

[cont.]



"Bombay" and "Oneida"—Collision between the—cont.

Eyre, and that further inquiry into his conduct ought to be made" (*Mr. Hanbury-Tracy*) July 5, [202] 1518; after long debate, Motion withdrawn

Papers relating to Collision, *Parl. P.* 221, 221-I.

BONHAM-CARTER, Mr. J., *Winchester*

Friendly Societies, Leave, [199] 159

Friendly Societies, Motion for an Address, [202] 1789

Navy Estimates—Coastguard Service, [201] 1675

Royal Forests, [199] 824

BOSTON, Lord

Irish Land, Report, *cl.* 3, [202] 1448

BOURKE, Hon. R., *Lynn Regis*

Army—Militia Artillery, [203] 1579

Assessed Duty on Male Servants, [203] 349

France and Prussia—The Frontier, [203] 1094

Foreign Enlistment, 2R. [203] 1380; Comm. *cl.* 8, 1506; *cl.* 19, 1511

Irish Land, Comm. *cl.* 1, [200] 759; *cl.* 3, 1992, 1993; *cl.* 5, [201] 378; *add. cl.* 777

North Wales Circuit, [200] 1606

Stamp Duties, 2R. [201] 1637; Comm. 1982; *cl.* 1, 1984, 1985, 1986

Stamps upon Leases, [199] 832; [200] 682

BOURNE, Colonel J., *Evesham*

Army—Evesham Rifle Corps, Res. [203] 786

BOUVERIE, Right Hon. E. P., *Kilmar-nock, &c.*

Beverley Election Proceedings, [200] 326

Clerical Disabilities, 2R. [201] 1375, 1380

Contagious Diseases Acts Repeal, Leave, [201] 1306, 1307

Customs and Inland Revenue, Comm. [201] 1799

East India Company, Motion for an Address, [202] 1163

Elementary Education, Comm. *cl.* 10, [202] 1223

Extradition, 2R. [202] 303

Harrow and Winchester Schools, Res. [203] 985

Ireland—Tipperary Election—Jeremiah O'Donovan Rossa, [199] 146

Waterford Election Petition, [202] 1209

Ireland—Shannon Navigation [Grant], Comm. [203] 1041, 1043

Ireland—Trinity College, Dublin, Res. [200] 1144

Irish Land, Comm. *cl.* 2, [200] 1039; *cl.* 3, Amendt. 1333, 1434, 1458, 1507

Lord Privy Seal, Office of, Res. [203] 891

Navy—Naval Retirement, Res. [200] 166, 211

Parliament—Public Business, [202] 1370

Parliament—Sittings of the House, Res. [202] 708, 713

Peace Preservation (Ireland), Comm. *cl.* 13, [200] 585, 587; *cl.* 22, 598; *cl.* 27, Amendt. 603, 604, 617, 633; Consid. 701; *cl.* 33, Amendt. 704, 708

Queen Anne's Bounty (Superannuation), 2R. [203] 1012, 1026

Suffragan Bishops, [200] 987

Supply—Secret Services, [203] 690

Women's Disabilities, Comm. Amendt. [201] 607

BOWRING, Mr. E. A., *Exeter*

Army Estimates—Salaries, War Office, [203] 1465

Cab Regulations, [199] 237, 1001

Customs and Inland Revenue, 2R. [201] 1628

Elementary Education, Comm. *cl.* 27, [202] 1423

France—Commercial Treaty, Motion for a Committee, [201] 150

Irish Land, Comm. *add. cl.* [201] 1261

Lectionary, Revision of the, [201] 393

Life Assurance Companies, 2R. [199] 742; Comm. *cl.* 7, Amendt. [202] 1175, 1177

Metropolis—Legislation respecting Government of, [203] 1734

Statistical Returns of the Board of Trade, [203] 1761

Suffragan Bishops, [200] 985

Supply—Embassies and Missions Abroad, [203] 1225

Foreign Office, [202] 395

Houses of Parliament, [203] 916

Miscellaneous Expenses, [199] 1577

Offices of the House of Commons, [202] 385, 389

Patent Office, [203] 376

Privy Council, Salaries, [202] 405

Royal Parks, [203] 913

*Boxer, Colonel*—see title *Army*—*Boxer, Colonel, Dismissal of*

BRADY, Mr. J., *Leitrim Co.*

Conventual and Monastic Institutions, Motion for a Committee, Motion for Adjournment, [200] 1597, 1598

Ireland—Magisterial Appointments, Motion for Papers, [200] 2091

Irish Land, Comm. *cl.* 1, [200] 762; *add. cl.* [201] 1259; 3R. 1626

Medical Acts Amendment, 2R. Motion for Adjournment, [200] 969

Medical Officers Superannuation, 2R. [202] 717

Peace Preservation (Ireland), Leave, [200] 108; Comm. *cl.* 26, 602; *cl.* 27, 681; *cl.* 37, 691; *cl.* 38, 696; Consid. *cl.* 39, 713

Sunday Trading, 2R. [202] 1583

Vaccination Act Amendment, 2R. [202] 1591

BRAND, Rt. Hon. H. B. W., *Cambridge-shire*

Rugby School, [200] 638

BRAND, Mr. H. R., *Hertfordshire*

Army—Direct Commissions, [202] 784

Elementary Education, Comm. *cl.* 17, [202] 1315

BRASSEY, Mr. T., *Hastings*

Emigration, Res. [199] 1048

Navy Estimates—Scientific Departments, Navy, [199] 1302

*Brazil*

*Claims of British Subjects*, Question, Mr. Anderson; Answer, Mr. Otway June 23, [202] 786; August 4, [203] 1523

"*Mary Hamilton*," The, Question, Mr. Finnie;

Answer, Mr. Otway Feb 24, [199] 768; June 13, [201] 1942; July 23, [203] 1093

*Rocas Shoals, The*, Question, Mr. Graves;

Answer, Mr. Shaw Lefevre July 14, [203] 243

BRUCE, Right Hon. H. A.—*cont.*

- Judicial Sentences, [200] 1430  
 Mathieu, Daniel, Case of, [202] 260  
 Maw, George, Case of, [202] 787; [203] 871  
 Murder, Law of, [200] 1627  
 Prison Workshops, [200] 202  
 Prisons—England and Wales, [200] 1815  
 Spanish Bull-Fights at Islington, [200] 989  
 Townshend, Joseph, Case of—"An Incon-  
 rigible Rogue," [203] 734  
 Wesleyan Ministers in Military Prisons,  
 [200] 1429  
 Whitehead, George, Convict, [199] 798  
 Divorce Court, Proceedings in the, [199] 994  
 Ealing Local Board, [199] 1626  
 Ecclesiastical Bills, [203] 878  
 Ecclesiastical Law, Consolidation of the, [203]  
 1518  
 Ecclesiastical Titles Act Repeal, 2R. [203]  
 1549; Comm. *cl.* 1, 1593; *cl.* 2, Amendt.  
 1595, 1596, 1597  
 Elementary Education, 2R. [199] 1953; Comm.  
 [202] 800, 922; *cl.* 26, 1329; *cl.* 33, 1485;  
 Consid. *cl.* 16, [203] 493; *cl.* 26, 496  
 Factories and Workshops Act, [199] 998;  
 [203] 1524  
 Factories and Workshops Returns, [200] 1601  
 Factory Acts Extension—Brass-Founders, [200]  
 1504  
 Factory Discipline—Case of Hannah Andrews,  
 [199] 584  
 False Weights and Measures, Res. [201] 1510  
 Felony, 2R. [200] 937  
 Friendly Societies, [202] 1788; Motion for an  
 Address, 1789, 1790  
 Game Laws, [199] 1622; Res. [201] 1910  
 Game Laws Amendment, 2R. [200] 8  
 Game Laws (Scotland), 2R. [199] 1111  
 Habitual Drunkards, [199] 1246  
 Herring Fisheries, [199] 1142  
 Holt, Elizabeth, Case of, [199] 1628  
 Horse Racing, 275; Leave, [201] 1363  
 Illegal Lotteries, [201] 355  
 Ireland—Fenian Convicts, Released, [199] 688  
 Political Prisoners—O'Donovan Rossa,  
 [199] 533;—"General" Burke, [200] 1582;  
 —Dr. Mac-Donnell, [203] 954  
 Ireland—Militia—Motion for a Return, [203]  
 1737  
 Judicial Committee, Comm. [203] 1706, 1718;  
 Preamble, 1718; *cl.* 2, Amendt. 1719, 1720,  
 1722, 1723, 1725  
 King's Lynn Election, [202] 1357  
 Land Transfer Act, [203] 485  
 Licensing Question, The, [199] 586; [201] 84  
 Lotteries for Poor Schools, [200] 1283  
 Manchester, Threatened Outrage in, [201]  
 462  
 Metropolis—Questions, &c.  
 Burglaries, [200] 728  
 Detective Police, [201] 735  
 Highbury Barn and the Police, [199] 326  
 Hyde Park, Proposed Demonstrations in,  
 [201] 576  
 Legislation respecting the Government of  
 London, [203] 1734  
 St. Luke's Hospital, [199] 685  
 Southwark Park, Res. [203] 1114  
 Water Supply in the, [201] 1496  
 Mines Regulation, &c. Leave, [199] 152; 2R.  
 594, 638  
 Municipal Boroughs (Metropolis), 2R. [201]  
 871, 878

BRUCE, Right Hon. H. A.—*cont.*

- Naturalization Act, [203] 1577  
 Newport Election, Riot at, [202] 1355  
 North Wales Circuit, [200] 1606  
 Norwich Election Commission, [199] 1630  
 Objectionable Publications, [203] 1098  
 Parliament—Bills Affecting the Clergy, [203]  
 657  
 Progress of Public Business, [200] 1707;  
 [203] 508  
 Parliament—Business of the House, Res. [202]  
 1554  
 Parliament, Houses of, Approach, Motion for an  
 Address, [203] 1738  
 Pedlars Certificates, Comm. [203] 700; *cl.* 5,  
 701, 702  
 Permissive Prohibitory Liquor, 2R. [203] 187  
 Pilotage, Comm. [202] 597  
 Poaching Prevention Act Repeal, 2R. [202]  
 1570  
 Police, Metropolitan, [199] 1872  
 Police Superannuation, [199] 329  
 Pollution of Rivers, [199] 800, 1000  
 Print Works Act, [199] 235  
 Prison Ministers and Prison Acts, [202] 1363  
 Prisons, &c., Motion for a Committee, [199]  
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 Public Carriage Horses, [199] 1580  
 Public Schools, Motion for an Address, [200]  
 1381, 1382; [201] 182, 189, 1686  
 Public Schools Act Amendment, Comm. [203]  
 1047  
 Registration of Voters, [199] 241  
 Salmon Fisheries Report, [200] 1965  
 Salmon Fishing in Devonshire, [199] 1868  
 Salmon, Unseasonable, [199] 586  
 Scotland—Questions, &c.  
 Industrial School, Glasgow—Case of Alex-  
 ander Gillespie, [200] 639  
 Lunacy Commission, [201] 280  
 Police Force, [199] 1480  
 Sheriffs, [199] 1961  
 Sheriffships, [202] 1360  
 Shale Mines, [200] 1966  
 Sheriffs (Scotland) Act Amendment, Comm.  
*cl.* 5, [203] 471  
 Sites for Places of Worship, 2R. [200] 1396,  
 1409  
 Spirit Licences, [199] 884  
 Suburban Commons, 2R. [201] 568  
 Sunday Trading, 2R. [202] 1583; Comm.  
 [203] 1423  
 Supply—Board of Lunacy (Scotland), [203]  
 804  
 Education, Public, [203] 1182  
 Home Department, [202] 391, 392, 393  
 Police Courts (London and Sheerness),  
 [203] 998, 999, 1000, 1001  
 Thames—Purification of the, [201] 1408  
 Trade Societies, [199] 767  
 Trades Unions, [202] 99; [203] 1520  
 Truck Acts, [200] 1964; Motion for a Com-  
 mission, [203] 147, 148, 152, 1009  
 Turnpike Roads, [200] 573  
 Turnpike Trusts, [202] 1619  
 Vaccination Act Amendment, 2R. [202] 1585,  
 1592  
 Visitation Fees, [199] 802  
 Water Supply on Sunday (Metropolis), Leave,  
 [200] 1373  
 Women's Disabilities, 2R. [201] 237  
 Workshops Regulation Act, [199] 235



**BRUCE, Sir H. H., *Coleraine***

Irish Land, 2R. [199] 1384, 1385; Comm. cl. 2, [200] 1056; cl. 3, 1064, 1330; Amendt. 2019; cl. 5, Motion for Adjournment, [201] 384; cl. 41, 754, 759; add. cl. 1032; Motion for Adjournment, 1033; Consid. 1417; add. cl. 1423  
Party Processions (Ireland), 2R. [200] 961

**BRUEN, Mr. H., *Carlow Co.***

Ireland—County Coroners, Powers of, [199] 1622  
200] Irish Land, Comm. cl. 1, 1001; Amendt. . 1013; cl. 2, 1057, 1058; cl. 3, 1068, 1077, . 1248, 1507, 1526, 1535, 1988, 1989, 1993, . 1994, 1999, 2011; Amendt. 2017  
201] cl. 3, 38, 51, 290; cl. 4, 296, 321; cl. 5, . 384; cl. 6, Amendt. 397; cl. 8, 409; cl. 14, . 428; cl. 18, 583; cl. 19, 587; add. cl. . 1033, 1255, 1257; Consid. 1417; add. cl. . 1433; Amendt. 1438  
203] Lords Amendts. 129, 134  
Peace Preservation (Ireland), Comm. cl. 13, [200] 539; cl. 27, 680; cl. 34, 686; cl. 37, Amendt. 687; cl. 38, 696; Consid. cl. 39, 712

**BRYAN, Mr. G. L., *Kilkenny Co.***

Irish Land, 2R. Amendt. [199] 1373, 1654; Comm. add. cl. [201] 1258; 3R. 1607  
Peace Preservation (Ireland), 2R. [200] 487; Comm. cl. 27, Motion for reporting Progress, 633, 635

**BUCKINGHAM, Duke of**

Benefices Resignation, 3R. [202] 1694  
Ireland—Cork, Disturbances at, [202] 1302

**BULLER, Sir E. M., *Staffordshire, N.***

Richmond Park, [203] 650

**BULWER, Right Hon. Sir H. Lytton, *Tamworth***

Belgium—Neutrality of, [203] 1745, 1779  
Clarendon, Late Earl of, [202] 998  
\*Greece—Murder of British Subjects, Res. [201] 1144, 1160; [203] 1232, 1233, 1285, 1412, 1421  
Luxembourg—Neutral condition of, [203] 644  
War, The, [203] 1354

**Burials Bill**

(*Mr. Osborne Morgan, Mr. Hadfield, Mr. M<sup>r</sup> Arthur*)

c. Acts considered in Committee; after debate, Bill ordered; read 1<sup>o</sup> Feb 10, [199] 161  
Moved, "That the Bill be now read 2<sup>o</sup>" Mar 23, [200] 513 [Bill 8]  
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Cross*); after debate, Question put, "That 'now,' &c.," A. 233, N. 122; M. 111; main Question put, and agreed to; Bill read 2<sup>o</sup>  
Moved, "That the Bill be committed for Wednesday the 18th day of May next" (*Mr. Osborne Morgan*)  
Amendt. to leave out "for Wednesday the 18th day of May next," and add "to a Select  
[cont.]

**Burials Bill—cont.**

Committee" (*Mr. Secretary Bruce*); after short debate, Question put, "That the words, &c.," A. 135, N. 226; M. 91; words added; main Question, as amended, put, and agreed to; Bill committed to a Select Committee

And, on Mar 25, Committee nominated as follows:—*Mr. Secretary Bruce* (Chairman), *Mr. Collins*, *Mr. Cross*, *Mr. Cubitt*, *Mr. Hardcastle*, *Mr. Beresford Hope*, *Mr. Miall*, *Mr. Osborne Morgan*, *Mr. Morley*, *Mr. Mowbray*, *Earl Percy*, *Mr. Richard*, *Mr. Stone*, and *Mr. John Gilbert Talbot*; April 26, *Mr. Cogan* added, *Sir John Simeon* disch.

Report of Select Committee May 10 [Bill 220]

Bill as amended by Select Committee (123)

Committee—R.P. May 27, [201] 1558

Committee—R.P. July 13, [203] 192

Bill withdrawn \* July 29

**BURKE, Viscount, *Galway Co.***

Irish Land, 2R. [199] 1672

**BURKE, Mr. E. HAVILAND, *Christchurch***

Beverley Election—*Mr. W. H. Cook*, [199] 1365  
Commitment of a Foreman of a Jury, [199] 1002  
County Court Judge of Norfolk, [200] 1174  
East India Revenue Accounts, Comm. [203] 1646  
Education in the Channel Islands, [202] 1623  
Elementary Education, Comm. cl. 31, Amendt. [202] 1481

India—Despatch to *Mr. Cartier*—*Nawab Nazim*, [200] 2057

East India Company, [201] 1768

Ireland—Madden, *Mr.*, Dismissal of, [199] 1627

Parliament, Houses of, Approaches, Motion for an Address, [203] 1738

Stamp Duty on Leases, Leave, [199] 1235; 2R. 1463

**BURRELL, Sir P., *New Shoreham***

Elementary Education, Comm. Schedule II,

Motion for reporting Progress, [203] 316

Elementary Education—Schoolmasters, [199] 765

**BURY, Viscount, *Berwick-on-Tweed***

Army Enlistment, Comm. [203] 441; cl. 4, 458

Army Estimates—Volunteer Corps, [203] 417

Works, Buildings, &c. [203] 429

Colonies, Motion for a Committee, Previous

Question moved, [200] 1847, 1871

Customs and Inland Revenue, Comm. [201]

1794; cl. 11, 1806, 1807

Foreign Enlistment, 2R. [203] 1381

Members of Parliament Payment, Leave, [200] 1366

Peace Preservation (Ireland), Comm. cl. 13, [200] 589

Ways and Means—Financial Statement, [200] 1678

**Buxton, M.P., *Attempt to shoot Mr.***

Question, Colonel French; Answer, *Mr. Bruce*

April 29, [200] 2060

**BUXTON, Mr. C., *Surrey, E.***

- Belgium—Neutrality of, [203] 1779
- Bible (Authorized Version), Motion for an Address, [202] 100, 123
- Corporation of London, 2R. [201] 893, 894
- Criminal Lunatics, [202] 492
- Elementary Education, Comm. *cl. 5*, [202] 1022; *cl. 7*, 1038; *cl. 10*, 1228; *cl. 19*, 1318; *cl. 26*, 1327
- Irish Land, Comm. *cl. 3*, [200] 1231
- Municipal Boroughs (Metropolis), 2R. [201] 854, 877
- Navy—African Squadron, Res. [200] 851
- Representation of the People Act Amendment, 2R. [202] 168

**CADOGAN, Earl**

- South Kensington Museum, [201] 624
- Wellington, Duke of—Monument, Motion for Papers, [200] 1280, 1281, 1282

**CADOGAN, Hon. F. W., *Cricklade***

- Greece—Brigandage in, [200] 1817
- Metropolis—St. James' Park, Carriage road through, [203] 39
- Supply—Houses of Parliament, [203] 917, 918
- Police Courts (London and Sheerness), [203] 998

**CAIRNS, Lord**

- Appellate Jurisdiction, Comm. [201] 1929
- Attorneys and Solicitors Remuneration, Comm. *cl. 4*, [201] 1919
- Belgium—Neutrality of, [203] 1746, 1758
- Benefices, 2R. [202] 1339; Comm. [203] 234
- Benefices Resignation, 3R. [203] 109, 111
- Canada—Fenians, Invasion by, [201] 1465
- Canada—Canadian Volunteers, Res. [203] 725, 726
- Census, Comm. *cl. 4*, [203] 1401, 1406; Commons' Reasons, 1730
- Ecclesiastical Titles Act Repeal, 2R. [201] 1483, 1487; Comm. Amendt. [202] 1300; Commons' Amendts. [203] 1683
- Elementary Education, Comm. *cl. 7*, [203] 1167, 1172, 1173
- Foreign Enlistment, Comm. [203] 1677
- France and Prussia, [203] 380;—Alleged Draft Treaty, 924
- Glebe Loans (Ireland), 3R. [203] 1681, 1682
- High Court of Justice, Comm. [200] 2039, 2056; [201] 1567, 1588; Report, 1923, 1927, 1928; 3R. [202] 319
- Irish Church Act Amendment, 2R. [201] 1269
- 202] Irish Land, 2R. Motion for Adjournment, 98, 183; *cl. 1*, Amendt. 745, 746, 747, 749, 752, 754, 755; *cl. 3*, 758, 769, 774, 775, 777, 778, 779, 863, 869, 878; *cl. 4*, Amendt. 954, 955, 957, 958, 966; *cl. 5*, 982, 987; *add. cl.* 991; *cl. 10*, 1053; *cl. 12*, Amendt. 1055, 1056; *add. cl.* 1058, 1060; *cl. 14*, 1061; *add. cl.* 1065; *cl. 41*, 1080, 1083; *cl. 68*, Amendt. 1086; Report, *cl. 1*, Amendt. 1428; *cl. 3*, 1429, 1432, 1433, 1443; *cl. 5*, 1450; *cl. 9*, Amendt. 1451; *cl. 19*, 1453; *cl. 68*, 1454, 1456; 3R. 1702, 1704; *cl. 5*, 1707
- 203] Commons' Amendts. *cl. A*, 333; *cl. 8*, 337, 339
- Judges Jurisdiction, 1R. [199] 520
- Judicial Committee, 2R. [203] 406, 407; Comm. 626; 3R. *add. cl.* 867

**CAIRNS, Lord—*cont.***

- Judicial Committee of the Privy Council, Motion for an Address, [202] 1294
- Married Women's Property, 2R. [202] 600, 618, 620; Comm. [203] 395; *cl. 1*, 397; *cl. 2*, 399; *cl. 4*, *ib.*; Report, 623; *cl. 7*, *ib.*
- Medical Act Amendment, 2R. [201] 259; Comm. *cl. 18*, Amendt. [202] 1199, 1201
- Militia Acts Amendment, 2R. [203] 1399
- Norwich Voters Disfranchisement, 2R. [201] 1266; Comm. *cl. 2*, Amendt. 1691
- Parliament—Address in Answer to the Speech, [199] 16
- Order of Debate, [201] 1939
- Prayer Book (Table of Lessons), Comm. Pre-amble, [203] 104
- Sequestration, 2R. [201] 795, 797, 800; Report, [202] 321; 3R. 953, 1344
- Settled Estates, 2R. [203] 610
- Sheriffs (Scotland) Act Amendment, Comm. *cl. 13*, [203] 1071
- Sligo and Cashel Disfranchisement, 2R. [202] 1601
- Tenure of Land (Foreign Countries), Motion for Returns, [199] 413

**CALLAN, Mr. P., *Dundalk***

- Ireland—Fenian Prisoners—Dr. MacDonnell, [203] 954
- Magistrates, [200] 209
- Ireland—Coote, Captain, Case of, Res. [199] 1918
- Party Processions (Ireland), 2R. [200] 957
- Peace Preservation (Ireland), Leave, [200] 121; 2R. 335; Comm. *cl. 13*, Amendt. 583; *cl. 26*, 602; *cl. 27*, Amendt. 680, 681; Consid. 702

**CAMBRIDGE, Duke of (Field Marshal Commanding-in-Chief)**

- Army Enlistment, 2R. [203] 934; Comm. *cl. 6*, 1263; *add. cl.* 1265
- Canada—Canadian Volunteers, Res. [203] 717

**CAMOYS, Lord**

- Benefices, 2R. [202] 1339

**CAMPBELL, Lord**

- Education, 1R. [201] 730
- Parliament—Order of Debate, [201] 1933, 1939, 1940

**CAMPBELL, Mr. H., *Stirling, &c.***

- County Finance Administration, [199] 245
- County Government, Res. [201] 1853
- Elementary Education, [199] 1237
- Naturalization Act, [203] 1577

***Campbell's Act*, 9 & 10 *Vict. c.* 93**

- Question, Mr. Hanbury-Tracy; Answer, Mr. Shaw Lefevre Feb 22, [199] 691

**CAMPERDOWN, Earl of**

- Admiralty, Motion for Papers, [200] 308, 309
- Navy Retirement, Motion for Papers, [203] 321
- University Tests, Nomination of Committee, [203] 631



**Canada (Guarantee of Loan) Bill**

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)

**c. Resolution in Committee July 18**

Resolution reported, and agreed to; Bill ordered; read 1<sup>st</sup> *July 19*, [Bill 225]

Moved, "That the Bill be now read 2<sup>nd</sup>" *July 29*, [203] 1257

Amendt. to leave out "now," and add "upon this day three months" (*Sir David Wedderburn*); after short debate, Question put, "That 'now,' &c.;" A. 65, N. 17; M. 48; main Question put, and agreed to; Bill read 2<sup>o</sup>

Committee\*; Report *August 2*

Read 3<sup>rd</sup> *August 3*

**l. Read 1<sup>st</sup> (*The Earl of Kimberley*) *August 4***

Read 2<sup>nd</sup> *August 5* (No. 284)

Committee\*; Report *August 6*

Read 3<sup>rd</sup> *August 8*

Royal Assent *August 9* [33 & 34 *Vict.* c. 82]

**Canada, Dominion of**

*Defences of*—Copy of Act . . (P. P. 367)  
Correspondence relating to Act—

(P. P. 244)

*Fenian Invasion*, Question, *Sir Charles Adderley*; Answer, *Mr. Monsell May 26*, [201] 1411; Question, *The Earl of Carnarvon*;

Answer, *Earl Granville*; debate thereon

*May 27*, 1462; Question, *Mr. Whalley*;

Answer, *Mr. Monsell May 27*, 1495

Despatch . . . *Parl. P.* [185]

*Galt, Sir Alexander T.*, Question, *Mr. Whalley*;

Answer, *Mr. Monsell Mar 21*, [200] 324;

*Mar 24*, 574

*Massacre of Indians in Montana*, Question, *Mr.*

*R. N. Fowler*; Answer, *Mr. Otway Feb 24*,

[199] 767

**Red River Settlement**

Question, *Mr. Monsell*; Answer, *Mr. R. N. Fowler Feb 18*, [199] 532; Postponement of

Motion (*Mr. R. N. Fowler*) *April 29*, [200] 2060

*Affairs in*, Question, *Sir Harry Verney*; Answer, *Mr. Monsell Feb 10*, [199] 118;

Question, *Mr. Whalley*; Answer, *Mr. Monsell*

*Mar 17*, [200] 73; Question, *Mr. Sinclair*

*Aytoun*; Answer, *Mr. Monsell April 4*,

1172

*Appropriation of Lands*, Question, *Mr.*

*McArthur*; Answer, *Mr. Monsell July 14*,

[203] 246

*Hudson's Bay Company*, Question, *Mr. Gourley*;

Answer, *Mr. Monsell Feb 17*, [199] 427

*Red River Expedition—The Canada Rifles*,

Question, *Mr. R. Torrens*; Answer, *Mr.*

*Monsell April 26*, [200] 1816

*Rupert's Land*, Papers relating to

(*Parl. P.* No. 315)

*The Insurrection in, Execution of Colonel*

*Scott*, Question, *Mr. Whalley*; Answer, *Mr.*

*Monsell April 7*, [200] 1431; Question, *Lord*

*Lyveden*; Answer, *Earl Granville May 5*,

[201] 251; Question, *Sir Charles Adder-*

*ley*; Answer, *Mr. Monsell May 5*, 280;

*May 6*, 325; Observations, *Mr. R. N.*

*Fowler*; Reply, *Mr. Monsell*; short debate

thereon *May 20*, 1088

**Canada, Dominion of**

*Canadian Frontier—Canadian Volunteer Militia*, Moved to resolve, That this House has learnt with satisfaction that Her Majesty's regular troops were united with the Canadian volunteer militia in their prompt and vigorous efforts in defence of the Canadian frontier of the Empire from the recent so-called Fenian invasion (*The Earl of Carnarvon*) *July 22*, [203] 703; after debate, Motion withdrawn

**Canada, Dominion of**

Motion for an Address for Copy of the correspondence had with the Reverend G. O. Corbett, one of the landed proprietors of British North West America, in reference to the Red River Rebellion and the causes that have led to it, as disclosed in certain communications addressed to the Colonial Office from the 25th of August 1868 to the present time; and also of all petitions that may have been addressed to Her Majesty or to Her Majesty's Government from the inhabitants of such localities" (*The Marquess of Clanricarde*) *July 4*, [202] 1331; after short debate, Motion withdrawn

**Canada Railway Loan**

Question, *Mr. Monk*; Answer, *Mr. Monsell April 12*, [200] 1702

Amendt. on Committee of Supply *June 10*, To leave out from "That" and add "in the opinion of this House, the provisions of the Act of the Canadian Legislature, 31 Vic. c. 13, do not satisfactorily fulfil the requirements of 'The Canada Railway Loan Act, 1867'" (*Mr. Monk*), [201] 1844; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Question, *Major Walker*; Answer, *Mr. Monsell July 14*, [203] 247

**CANDLISH, Mr. J., Sunderland**

Ballot, 2R. [200] 57

Belize—British Residents at, [203] 632

Burials, 2R. [200] 534

Census, [199] 763; 2R. [203] 817

Church Rates (Scotland), 2R. [199] 1594

Civil Service Estimates, [203] 1769

Clerical Disabilities, Lords' Amendts. [203] 1726

Consolidated Fund (Appropriation), Comm. [203] 1586

Conventual and Monastic Institutions, Comm. [200] 1597; Nomination of Committee, [201] 79

Customs and Inland Revenue, Comm. cl. 23, [201] 1812

202] Elementary Education, Comm. cl. 5, 1021;

cl. 7, 1043; cl. 8, 1114; cl. 10, 1223; cl. 20,

Amendt. 1320, 1321; cl. 27, 1405; cl. 33,

1486; cl. 46, 1660, 1666; cl. 54, 1673

203] cl. 65, 56; Amendt. 58, 63; cl. 81, Amendt.

66; add. cl. 256, 259, 268; Consid. add. cl.

489; cl. 20, Amendt. 493

Financial Statement, [199] 244

Foreign Enlistment, Consid. cl. 21, Amendt.

[203] 1555

Glebe Loans (Ireland), 2R. Amendt. [203]

958, 961; Comm. cl. 8, Amendt. 1146

CANDLISH, Mr. J.—*cont.*

- Irish Land, Comm. *cl.* 41, Amendt. [201] 752  
 Life Assurance Companies, Comm. *cl.* 11, [202] 1183  
 Metropolis—Thames Embankment, Motion for an Address, [202] 1782  
 Navy—Cooper-Key, Rear Admiral, Case of, [201] 1894, 1895  
 Navy Estimates—Army Department—Conveyance of Troops, [203] 1215  
   Dockyards, &c. [199] 1815  
   Men and Boys, [199] 977  
 Peace Preservation (Ireland), Consid. [200] 702; *cl.* 40, 715  
 Pilotage, 2R. [199] 773  
 Sanitary Act (Dublin) Amendment, Comm. [203] 1567  
 Sites for Places of Worship, 2R. [200] 1412  
 Sunday Trading, Comm. [203] 1494  
 Supply—Commissioners of Police (Dublin), [203] 1123  
   Constabulary (Ireland), [203] 1124  
   Embassy Houses, Constantinople, &c. [203] 921  
   Exchequer and Audit Department, [203] 371  
   Grants for Civil Services, [199] 1956  
   Harbours under Board of Trade, [203] 1473  
   Privy Council Office, [202] 404  
   Registrars of Friendly Societies, [203] 671  
   Stationery, Printing, &c. [203] 672  
   University of London, [203] 1143  
   Works and Public Buildings, [203] 689  
 Vaccination Act Amendment, 2R. [202] 1584  
 Ways and Means—Financial Statement, [200] 1675; Report, Res. 7, 1725

*Cape of Good Hope*

- Question, Mr. R. N. Fowler; Answer, Mr. Monsell Mar 28, [200] 722  
   Parl. Papers—  
   The Basutos—Despatches . . . [18, 99]  
   Correspondence—Responsible Government—Withdrawal of Troops 181, 181-I  
   [See title *Africa*]

**Capital Sentences (Revision and Commutation) Bill** (*Sir George Jenkinson, Mr. Staveley Hill, Mr. Wren-Hoskyns*)

- c. Motion for Leave (*Sir G. Jenkinson*) Mar 22, [200] 424; Bill ordered; read 1<sup>o</sup>\* [Bill 85]  
 Moved, "That the Bill be now read 2<sup>o</sup>" June 22, [202] 727  
 Amendt. to leave out "now," and add "upon this day three months" (*Mr. J. D. Lewis*); after short debate, Question, "That 'now,' &c.;" put, and negative; words added; main Question, as amended, put, and agreed to; Bill put off for three months  
 [See *Criminal Sentences*]

**CARDWELL, Right Hon. E. (Secretary of State for War), Oxford City**

- Army—Questions, &c.  
   Ammunition, Supply of, [203] 868  
   Army Enlistment Act, [203] 787; [203] 950  
   Artillery and Engineers, Promotion in the, [199] 1626; [203] 1680  
   Band in Hyde Park, [201] 630

CARDWELL, Right Hon. E. —*cont.*

- Boxer, Colonel, Case of, [200] 2084  
 Breech-Loaders for the Volunteers, [200] 829, 2061; [203] 873, 1692  
 Brevets, [199] 885  
 Bristol Channel—Defences of, [203] 1280  
 British Army, Strength of the, [203] 1101, 1275  
 Cadets to Woolwich, [199] 167;—at Sandhurst, 169, 1870  
 Candidates for the Royal Military Academy, [200] 74  
   Canteens in Barracks, [201] 109  
   Cavalry Barracks at Chelsea, [202] 491  
   Cavalry Commissions, [200] 74  
   Coldstream and Fusilier Guards, [201] 5  
   Colonels of the Indian Army, [201] 107  
   Colonels on Half-Pay, [199] 689  
 Control Department and the Royal Engineers, [200] 318; [203] 1272  
 Control Sub-Departments, [202] 1616  
 Convict Army Recruits, [201] 275  
 Cornets and Ensigns, [200] 208; [202] 266  
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 Defensive Forces, [203] 1279  
 Direct Commissions, [202] 784; Examinations for, [203] 642, 1282, 1521  
 Drill Book, Revised, [203] 1524  
 Employment of Soldiers, [199] 885  
 Enlistment Act, [202] 787  
 Expenditure, [202] 1614; [203] 252  
 Expenses of Officers, [199] 1739  
 Falmouth—Fortifications of, [203] 1769  
 Forage at Aldershot, [203] 949  
 Horse Guards and War Department, [202] 1089  
 Horses, Exportation of, [203] 1097  
 Hoskins, Mr., Case of, [202] 1203  
 Irish Militia, Staff Sergeants of, [203] 643  
 Lincolnshire Rifles, [201] 1941  
 Lundy, Deputy Commissary General, [203] 640  
 Martini-Henry Rifle, [202] 1616; [203] 950  
 Medical Regulations, [199] 1872  
 Military Firearms, [200] 829  
 Military Labour, [203] 642  
 Military Mismanagement—51st Regiment, [200] 572  
 Military Reserve Funds, [201] 1701  
 Military Resources, [203] 1437  
 Military Stores, [201] 965  
 Military Surgeons at French and Prussian Head Quarters, [203] 649  
 Military Train and the Control Department, [201] 967  
 Militia Artillery, [203] 1579  
 Militia Desertion, [203] 1686  
 Militia, Officers of, [199] 1737; [203] 1522  
 Militia Orders for 1870, [200] 1967  
 Militia Quartermasters, [200] 321; [201] 1830  
 Mitrailleur, The, [203] 255  
 Netley Army Medical School, [200] 206  
 Over-Regulation Prices of Commissions, Explanation, [199] 1629, 1876; [203] 1097  
 Paymasters of Recruiting Districts, [201] 1499  
 Pay of Officers in India, [202] 785  
 Producing power of our Arsenal, [203] 1578  
 Promotion, [199] 1739;—The 17th Foot, [203] 250

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Purchase of Commissions, [199] 1623, 1624, 1744  
 Re-enlistment, [200] 205  
 Regulations, New, [199] 1369, 1370  
 Reserve Ammunition, Supplying of, [203] 1687  
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 Small Arms, Committee on—Martini-Henry Rifle, [203] 869  
 Snider Rifles, [199] 1962  
 Staff Appointments, [203] 31  
 Unattached Promotions, [200] 1170  
 Volunteer Commissions, [202] 1038  
 Volunteer Force, [203] 1279  
 Volunteers, [199] 685;—Capitation to, [203] 641, 1523  
 Whitworth Guns, [199] 1154  
 Wimbledon, Troops at, [203] 1095, 1281  
 Woolwich and Sandhurst, [200] 1283, 1284  
 Yeomanry Cavalry, [199] 166; [200] 202  
 Army—Boxer, Colonel, Motion for Papers, [199] 406  
 Army—Colonels, Motion for a Committee, [202] 1169  
 Army—Evesham Rifle Corps, Res. [203] 791  
 Army—Military Education Commission, Res. [200] 1578  
 Army—Militia (Ireland), Motion for Correspondence, [203] 1236  
 Army—Staff Appointments, Res. [201] 1825  
 201 Army Enlistment, 2R. 787  
 203 Comm. 444, 450, 451, 453; *cl.* 2, 454; *cl.* 3, 455; *cl.* 4, 457, 458, 459, 460, 461; *cl.* 5, 462; *cl.* 6, 463; *cl.* 9, *ib.*; Consid. 693  
 Army Estimates—Chelsea and Kilmainham Hospitals, [203] 432  
 Land Forces, [199] 1158, 1196, 1197, 1198, 1200, 1231  
 Martial Law, [201] 1831  
 Medical Establishments, [201] 1832  
 Militia, &c. [201] 1832, 1833, 1834, 1835  
 Miscellaneous Services, [203] 430, 431  
 Reserve Force, [203] 419  
 Salaries—War Office, [203] 1464, 1465  
 Volunteer Corps, [203] 416  
 Vote of Credit, [203] 1147, 1149, 1463  
 Warlike Stores, [203] 419, 420, 421, 426, 428  
 Works, Buildings, &c. Amendt. [203] 429, 430  
 Consolidated Fund (Appropriation), Comm. *cl.* 5, [203] 1592  
 Contagious Diseases Acts Repeal, [201] 1340  
 Customs and Inland Revenue, Comm. [201] 1801  
 India—Muzzle-Loading Rifle, [203] 1092  
 Ireland—Commander-in-Chief in, [203] 249  
 Kilmainham Hospital, [200] 719  
 Militia, The, [202] 895  
 Ireland—Trinity College, Dublin, Res. [200] 1145  
 Losses at Sea, Motion for a Commission, [201] 1122  
 Navy Estimates—Miscellaneous Services, [201] 1678, 1679  
 Navy Increase, Report, [203] 1499

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CARDWELL, Right Hon. E.—*cont.*

North Lancashire Steam Navigation Company, [201] 1820  
 War, The, [203] 1327  
 War Office, Leave, [199] 390, 404; 2R. 780, 781, 782, 783; Comm. *cl.* 3, 859, 860, 861; 3R. [200] 1764

CARLISLE, Bishop of

Elementary Education, Comm. *cl.* 7, Amendt. [203] 1162, 1165  
 Medical Act Amendment, Comm. *cl.* 18, [202] 1201

CARNARVON, Earl of

Benefices Resignation, 3R. [203] 114, 115  
 Canada—Fenians, Invasion by, [201] 1462, 1463  
 Canada—Canadian Volunteers, Res. [203] 703, 707, 714, 715, 716, 724, 728  
 Canada—Red River Territory, Motion for Papers, [202] 1336  
 Clerical Disabilities, Comm. [203] 1066  
 Colonies, British, [199] 193, 207, 208, 210  
 Elementary Education, Comm. *cl.* 7, [203] 1163, 1169; Amendt. 1172, 1173; *cl.* 36, Amendt. 1186; Schedule 1, Amendt. 1191  
 Greece—Murder of British Subjects, [200] 1962; [201] 1162; Motion for an Address, [203] 18  
 Habitual Criminals, [200] 563  
 Ireland—Crimes and Disorders, Repression of, [199] 1864  
 Irish Land, 2R. [202] 362, 378; Comm. *cl.* 3, 772, 881; *cl.* 40, 1075  
 National Gallery, Motion for Returns, [200] 317  
 Naturalization, Comm. [199] 1604; *cl.* 6, 1616; *cl.* 8, 1617  
 New Zealand (Guarantee of Loan), 2R. [203] 480  
 New Zealand—Withdrawal of Troops, Address for Correspondence, [199] 1324, 1336  
 Parliament—Public Business, [199] 421

CARNEGIE, Hon. C., *Forfarshire*

Army—Military Education Commission, Res. [200] 1573  
 Church Rates (Scotland), 2R. [199] 1591  
 Irish Land, Comm. *cl.* 3, [200] 2000; *add. cl.* [201] 1261  
 Navy—Gurdon, Commander, Case of, Res. [201] 1455  
 Public Prosecutions, Motion for a Committee, [201] 472  
 Scotland—Law of Hypothec, [200] 723

CARTER, Mr. R. M., *Leeds*

Licensing Amendment, [199] 586  
 Supply—Constabulary (Ireland), [203] 1125

CARTWRIGHT, Mr. W. C., *Oxfordshire*

Elementary Education, Comm. Schedule II, Motion for reporting Progress, [203] 316  
 Greece—Murder of British Subjects, [200] 1967

Cashel Election

Question, Mr. Stacpoole; Answer, Mr. Chester Fortescue *Mar* 4, [199] 1241  
 Report of Commissioners . . *Parl. P.* [9]  
 [See *Sligo and Cashel Disfranchisement Bill*]

**Cattle Diseases (Ireland) Bill**

(Mr. Chichester Fortescue, Mr. Solicitor General for Ireland)

c. Resolution in Committee reported, and agreed to; Bill ordered; read 1<sup>o</sup>\* June 20 [Bill 174]Read 2<sup>o</sup>\* June 23

Committee\*; Report June 27

Read 3<sup>o</sup>\* June 28l. Read 1<sup>o</sup>\* (The Lord Clancuboye) June 30Read 2<sup>o</sup>\* July 4 (No. 171)

Committee\*; Report July 5

Bill read 3<sup>o</sup>, after short debate July 14, [203] 235

Royal Assent August 1 [33 &amp; 34 Vict. c. 36]

**Cattle Plague***Alleged Outbreak in France*, Question, Sir Henry Selwin-Ibbetson; Answer, Mr. W. E. Forster May 27, [201] 1498*Cattle Disease—Somerset*, Questions, Mr. Gore Langton, Mr. Neville-Grenville, Sir Henry Selwin-Ibbetson; Answers, Mr. W. E. Forster July 7, [202] 1617*Cattle Market, The Foreign*, Question, Sir Charles Wingfield; Answer, Mr. W. E. Forster August 8, [203] 1689*Contagious Diseases (Animals) Act*, Question, Mr. C. S. Read; Answer, Mr. W. E. Forster Feb 15, [199] 331*Foreign Cattle Trade—Regulations P. P. 185**Importation of Cattle*, Question, Sir Henry Selwin-Ibbetson; Answer, Mr. W. E. Forster June 20, [202] 493*Metropolitan Foreign Cattle Market*, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster Feb 9, [199] 110; Question, Mr. Samuda; Answer, Mr. W. E. Forster Feb 21, 589; Question, Sir Henry Selwin-Ibbetson; Answer, Mr. W. E. Forster Feb 28, 895*Report on Cattle Plague*, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster Feb 21, [199] 587*Transit of Live Stock*, Question, Sir Robert Anstruther; Answer, Mr. W. E. Forster Feb 15, [199] 329*Waterside Cattle Market*, Observations, Mr. Samuda; Reply, Mr. W. E. Forster; short debate thereon April 8, [200] 1543*Water to Animals in Transit*, Question, Sir Robert Anstruther; Answer, Mr. W. E. Forster July 21, [203] 644**Cattle Stealing Bill**

(Sir George Jenkinson, Mr. Staveley Hill, Mr. Pell, Mr. Wren-Hoskyns)

c. Ordered; read 1<sup>o</sup>\* Feb 9 [Bill 1]  
Bill withdrawn\* July 5**CAVE, Right Hon. S., New Shoreham**

Army—Canteens in Barracks, [201] 109

Weights and Measures in Canteens, [200] 1963

Burials, Comm. cl. 1, [203] 194

Customs and Inland Revenue, Comm. [201] 1792  
Elementary Education, Comm. cl. 7, [202] 1033;  
Explanation, 1090; cl. 33, 1484; cl. 46, 1663; cl. 47, 1670; cl. 62, 1715; cl. 65, [203] 52, 58; add. cl. 262

False Weights and Measures, Res. [201] 1513

France—Commercial Treaty, Motion for a Committee, [201] 136

Gas for the Metropolis, [202] 1625

CAVE, Right Hon. S.—cont.

Greece—Murder of British Subjects in, [203] 1428

199] Life Assurance Companies, 2R. 719

202] Comm. cl. 3, 1171; cl. 4, Amendt. 1173;

cl. 7, 1174, 1176, 1178; cl. 8, Amendt. 1180,

cl. 1181; cl. 10, 1182; cl. 11, 1183; cl. 12,

cl. 1184, 1186; cl. 20, 1188; add. cl. 1189

Losses at Sea, Motion for a Commission, [201] 1120

Merchant Shipping, &amp;c. Acts Repeal, Leave, [199] 300

Merchant Shipping Code, 2R. [201] 2000

Pilotage, 2R. [199] 775

Ways and Means—Financial Statement, [200] 1668

**CAVE, Mr. T., Barnstaple**

Life Assurance Companies, 2R. [199] 743;

Comm. cl. 5, Amendt. [202] 1173; cl. 10,

Amendt. 1182; cl. 12, Amendt. 1183, 1185;

cl. 13, 1187; add. cl. 1189

**CAVENDISH, Lord F. C., Yorkshire, W.R., N. Div.**

Elementary Education, Comm. cl. 7, [202] 1042, 1043; cl. 27, 1400; Amendt. 1420

**CAVENDISH, Lord G. H., Derbyshire, N.**

Life Assurance Companies, Comm. cl. 12, [202] 1186

Turnpike Roads, [200] 572; Res. 864

Turnpike Trusts, [202] 1618

**CAWLEY, Mr. C. E., Salford**

Burials, 2R. [200] 556; Comm. cl. 1, Amendt. [201] 1559; [203] 193

202] Elementary Education, Comm. cl. 5, 1017,

cl. 1018; cl. 6, 1027; cl. 7, 1031; cl. 9,

Amendt. 1219, 1220; cl. 10, 1227, 1229;

cl. 18, Amendt. 1317; cl. 20, 1320; cl. 22,

Amendt. 1321, 1322, 1323; cl. 26, Amendt.

cl. 1328; cl. 27, 1404, 1413; Amendt. 1417;

cl. 33, 1487

203] Schedule II, 276, 280; Amendt. 315;

Consid. cl. 16, Amendt. 492; cl. 22, Amendt.

494; Schedule II, Amendt. 659

Navy—Chatham, &amp;c. Dockyards, Motion for a Committee, [201] 1715, 1734, 1735, 1737; [202] 1212

Tramways, Lords' Amendts. [203] 1490, 1491

Vagrancy—Rating of Public Buildings, [202] 490

**CECIL, Lord E. H. B. G., Essex, W.**

Army—Questions, &amp;c.

Breech-loaders for the Volunteers, [203] 873  
Death from Sunstroke on the March, [202] 1001

Mitrailleur, The, [203] 255

Purchase of Commissions, [199] 1623

Retirement by Sale of Commission, [203] 641  
Sandhurst Cadets, [199] 169

Army—Military Education Commission, Res. [200] 1567

Army Enlistment, Comm. [203] 453; cl. 2, Amendt. *ib.*

Army Estimates—Land Forces, [199] 1231

Miscellaneous Services, [203] 431

Warlike Stores, [203] 421, 425

False Weights and Measures, Res. [201] 1499, 1524

Metropolis—Detective Police, [201] 734

[cont.]



**Census Bill**

(Mr. Secretary Bruce, Mr. Knatchbull-Hugessen)

- c. Ordered; read 1<sup>st</sup> July 11 [Bill 211]  
 203] Bill read 2<sup>o</sup>, after debate July 22, 805  
 . Committee; Report July 26, 1002  
 Considered \* July 28  
 . Moved, "That the Bill be now read 3<sup>o</sup>" (Mr. Secretary Bruce) July 29, 1228  
 Amendt. to leave out from "be," and add "re-committed, in order to insert a new clause" (Mr. Bass); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 3<sup>o</sup>  
 l. Read 1<sup>st</sup> \* (The Earl of Morley) July 29  
 Read 2<sup>nd</sup> \* August 1 (No. 264)  
 . Committee August 2, 1399  
 Report \* August 4  
 Read 3<sup>rd</sup> \* August 5  
 . c. Lords' Amendts. considered August 8, 1706  
 Reasons for disagreeing to the Lords Amendts. reported, and agreed to  
 . l. Commons Reasons considered August 9, 1730  
 —Parl. P. 313  
 Moved, "That their Lordships do not insist on the Amendts. to which the Commons disagree" (The Earl of Morley); after short debate, Motion agreed to; the Amendts. to which the Commons disagree not insisted on  
 Royal Assent August 10 [33 & 34 Vict. c. 107]

**Census (Ireland) Bill**

(Mr. Chichester Fortescue, Mr. Secretary Bruce, Mr. Solicitor General for Ireland)

- c. Ordered; read 1<sup>st</sup> \* July 25 [Bill 237]  
 Read 2<sup>o</sup> \* July 28  
 Committee\*; Report August 1  
 Considered\*; read 3<sup>o</sup> August 2  
 l. Read 1<sup>st</sup> \* (The Lord Clanciboye) August 4  
 Read 2<sup>nd</sup> \* August 5 (No. 286)  
 Committee\*; Report August 6  
 Read 3<sup>rd</sup> \* August 8  
 Royal Assent August 9 [33 & 34 Vict. c. 80]

**Census of 1871**

Questions, Mr. Candlish, Mr. Hadfield; Answers, Mr. Bruce Feb 24, [199] 763  
 Suggestions of Statistical Society—  
 P. P. 350

Religious Denominations, Question, Sir Frederick W. Heygate; Answer, Mr. Bruce July 4, [202] 1356; Question, Sir John Pakington; Answer, Mr. Bruce July 8, 1711

**Census (Scotland) Bill**

(The Lord Advocate, Mr. Secretary Bruce)

- c. Ordered; read 1<sup>st</sup> \* July 21 [Bill 234]  
 Read 2<sup>o</sup> \* July 25  
 Committee\*—R.P. July 29  
 Committee; Report July 29, [203] 1260  
 Considered \* August 1  
 Read 3<sup>o</sup> \* August 2  
 l. Read 1<sup>st</sup> \* (The Earl of Morley) August 4  
 Read 2<sup>nd</sup> \* August 5 (No. 279)  
 Committee\*; Report August 6 (No. 307)  
 Read 3<sup>rd</sup> \* August 8  
 Royal Assent August 10 [33 & 34 Vict. c. 108]

**CHADWICK, Mr. D., Macclesfield**

Census, 2R. [203] 818; Comm. cl. 6, 1011  
 East India Revenue Accounts, Comm. [203] 1661  
 Egypt—Silk Supply Association, [203] 31  
 Joint Stock Companies Arrangement, Comm. [203] 1569  
 Supply—Consular Services, [203] 1242  
 Law Charges, [203] 992

**CHAMBERS, Mr. M., Devonport**

Army Estimates—Salaries, War Office, [203] 1465  
 Attorneys and Solicitors Remuneration, Comm. cl. 7, [200] 1423  
 Coinage Contracts, [201] 1876  
 Customs and Inland Revenue, Consid. add. cl. [202] 309  
 East India (Opium Revenue), Res. [201] 503  
 Elementary Education, Lords' Amendts. [203] 1560  
 Irish Land, Comm. cl. 3, [201] 289; cl. 20, 597  
 Navy Estimates—Admiralty Office, [201] 1653, 1670  
 Naval Stores, [201] 1750  
 Navy Increase, Report, [203] 1500  
 Parliament—Sittings of the House, Res. [202] 706  
 Stamp Duties, Comm. cl. 49, [203] 1561; cl. 51, 1562  
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## Chapel and Schools Sites Bill

Question, Mr. Owen Stanley; Answer, Mr. Bruce April 28, [200] 1966

CHAPLIN, Mr. H., *Lincolnshire, Mid.*

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## Charitable Funds Investment Bill

(*Sir Roundell Palmer, Dr. Ball*)

c. Ordered; read 1<sup>o</sup> \* June 16 [Bill 168]  
   Read 2<sup>o</sup> \* June 28  
   Committee\*; Report June 30  
   Considered\*; read 3<sup>o</sup> July 4  
 l. Read 1<sup>a</sup> \* (*The Lord Cairns*) July 5 (No. 181)  
   Read 2<sup>a</sup> \* July 14  
   Committee\*; Report July 15  
   Read 3<sup>a</sup> \* July 18  
   Royal Assent August 1 [33 & 34 Vict. c. 34]

## Charitable Trusts Act (1869)

Question, Mr. A. Johnston; Answer, Mr. Stansfeld June 9, [201] 1767

## Charities, &amp;c. Exemption Bill

(*Mr. Mintz, Viscount Sandon, Mr. Wheelhouse*)

c. Ordered; read 1<sup>o</sup> \* April 26 [Bill 109]  
   Bill withdrawn \* July 25

## Charity Commissioners' Report

Question, Mr. Neville-Grenville; Answer, Mr. Gladstone May 12, [201] 573  
*Charity Commissioners, Moved to resolve, "That having regard to the change recently introduced by the Charity Commissioners into the administration of endowments for the benefit of the poor, the Court of Chancery having always hitherto held that such endowments are not applicable to persons in permanent receipt of parish relief, it is not expedient that the principle laid down by the Courts should be overruled, as inevitably tending to convert endowments intended for the relief of the poor to the relief of the ratepayer" (The Earl of Harrowby) August 5, [203] 1571; after short debate, Motion withdrawn*

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## Children, &amp;c. Protection Bill [H.L.]

(The Marquess Townshend)

l. Presented; read 1<sup>st</sup> \* May 5 (No. 84)  
 Bill withdrawn, after short debate July 7, [202] 1593

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*Consular Etiquette*, Question, Colonel Sykes; Answer, Mr. Otway May 13, [201] 631; May 17, 810  
*Convention with*, Question, Mr. Akroyd; Answer, Mr. Otway Feb 15, [199] 330; Question, Mr. Magniac; Answer, Mr. Otway July 7, [202] 1624  
*Mr. Hart's Notes*, Question, Colonel Sykes; Answer, Mr. Otway Mar 1, [199] 998  
*Outrages upon Missionaries*, Question, Colonel Sykes; Answer, Mr. Otway Mar 14, [199] 1870; Mar 17, [200] 71  
*Reported Massacres*, Question, Mr. Magniac; Answer, Mr. Otway July 7, [202] 1624; Question, Colonel Sykes; Answer, Mr. Otway July 25, [203] 872  
*Upper Yangtze River*, Question, Mr. Liddell; Answer, Mr. Otway April 11, [200] 1602

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*Clerical Dignitaries, Resignation of*, Question,  
Sir Massey Lopes; Answer, Mr. Gladstone  
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*Dean and Chapter of Durham*, Question, Mr.  
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[203] 1283

*Ecclesiastical and Diocesan Records*, Address  
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turns (*The Earl of Shaftesbury*) Mar 28,  
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*Ecclesiastical Titles Act*, Question, Mr. Stac-  
poole; Answer, Mr. Gladstone Feb 11,  
[199] 170; April 28, [200] 1964

*Lectionary, Revision of the*, Question, Mr.  
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[201] 393; Question, Earl Stanhope; An-  
swer, The Lord Chancellor July 4 [202] 1330

*Prayer Book*, Question, Mr. W. H. Smith;  
Answer, Mr. Gladstone August 8, [203]  
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*Ritual Commission, The*, Question, The Earl of  
Shaftesbury; Answers, Earl Granville, The  
Bishop of Winchester May 16, [201] 732

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*Suffragan Bishops*, Questions, Mr. Bowring,  
Mr. Bouverie; Answers, Mr. Gladstone  
Mar 31, [200] 985

[See titles *Ecclesiastical, &c.*

*Vitiation Fees*, Question, Mr. Lopes; Answer,  
Mr. Bruce Feb 25, [199] 802

See title *Bible (Authorised Version)*  
*Ecclesiastical Commissioners*

**Church of England—Established Church (Wales)**

Moved, "That, in the opinion of this House, it  
is right that the Establishment of the Church  
and its Union with the State should cease  
to exist in the dominion and principality of  
Wales" (*Mr. Watkin Williams*) May 24,  
[201] 1274; after debate, A. 45, N. 209;  
M. 64

Division List, Ayes and Noes, 1304

**Church of Ireland**

*General Convention of the*, Question, Mr. Charley;  
Answer, Mr. Gladstone Feb 10, [199] 120

*Glebes and Glebe Houses (Ireland)*, Question,  
Mr. Stacpoole; Answer, Mr. Chichester  
Fortescue Feb 10, [199] 120

**Church Rates (Scotland) Bill**

(*Mr. McLaren, Mr. Graham, Mr. Craufurd*)

c. Ordered; read 1<sup>o</sup> Feb 9 [Bill 5]  
Moved, "That the Bill be now read 2<sup>o</sup>" Mar 9,  
[199] 1580

Amendt. to leave out "now," and add "upon  
this day six months" (*Mr. Gordon*); after  
short debate, Question put, "That 'now,'  
&c.;" A. 108, N. 225; M. 117; words  
added; main Question, as amended, put, and  
agreed to; 2R. put off for six months

**Churchwardens Eligibility Bill [H.L.]**

(*The Earl Beauchamp*)

l. Presented; read 1<sup>a</sup> Mar 3 (No. 28)  
Bill read 2<sup>a</sup>, after short debate Mar 10, [199]  
1603

Committee \* Mar 14 (No. 35)

Report \* Mar 17

Read 3<sup>a</sup> \* Mar 18

c. Read 1<sup>o</sup> \* Mar 23 [Bill 87]

Read 2<sup>o</sup> \* Mar 24

Committee \*; Report Mar 25

Order for 3R. discharged April 4

**Churchwardens Liability Bill [H.L.]**

(*The Marquess of Salisbury*)

l. Presented; read 1<sup>a</sup> \* May 16 (No. 101)

Read 2<sup>a</sup> \* May 27

Committee \* May 31

Report \* June 17

Read 3<sup>a</sup> \* June 30

c. Read 1<sup>o</sup> \* July 5 [Bill 195]

Read 2<sup>o</sup> \* July 13

Bill withdrawn \* August 1

**"City of Boston," The**

Question, Sir John Pakington; Answer, Mr.  
Shaw Lefevre Mar 17, [200] 68

**City of London (Parishes, &c.) Bill**

(*Mr. Andrew Johnston, Viscount Sandon, Mr.  
William Henry Smith*)

c. Ordered \* Mar 15

Read 1<sup>o</sup> \* Mar 16, and referred to the Exa-  
miners of Petitions for Private Bills [Bill 74]

**Civil Service**

*Clerkships in the Home Department*, Question,  
Mr. Fawcett; Answer, Mr. Bruce July 14,  
[203] 254

*Pensions*, Question, Mr. Monk; Answer, Mr.  
Stansfeld May 10, [201] 460

*Temporary Clerks*, Question, Viscount Enfield;  
Answer, The Chancellor of the Exchequer  
July 28, [203] 1096; Question, Mr. H. B.  
Sheridan; Answer, The Chancellor of the  
Exchequer August 8, 1691

*Unrestricted Competition*, Question, Mr. Sinclair  
Aytoun; Answer, Mr. Gladstone Feb 18,  
[199] 529; Question, Mr. Winterbotham;  
Answer, Mr. Gladstone May 31, [201] 1702;  
Question, Lord Claud John Hamilton; An-  
swer, Mr. Gladstone June 13, 1943

[See title *Competitive Examinations—  
Civil and Diplomatic Services*

**Civil Service Commissioners—Attendance of Candidates in Police Courts**

Question, Dr. Lush; Answer, Mr. Stansfeld  
July 8, [202] 1710

**CLANCARTY, Earl of**

202] Irish Land, 2R. 349; Comm. cl. 3, 759;

. Amendt. 767, 775, 778, 873; cl. 4, 959;

. add. cl. 1053; cl. 12, 1054; Report, cl. 5,

. 1450; Amendt. 1451; 3R. 1695

# CLANRICARDE, Marquess of

- Bankrupt Law Amendment (Ireland), 1R. [200] 1047; 2R. [201] 85; 3R. Amendt. [203] 477  
 Canada—Fenians, Invasion by, [201] 1468  
 Canada—Red River Territory, Motion for Papers, [202] 1331, 1336  
 Ireland—Questions, &c.  
     Cork, Disturbances at, [202] 1303  
     Crimes and Outrages, Withdrawal of Notice, [199] 1116; Notice, 1324, 1733;—  
         Repression of, 1862, 1864  
     Ecclesiastical Titles Act, [201] 3  
     Marriage Law, [201] 3  
     State of, [199] 1959  
 Ireland—Crime and Outrage, Motion for Returns, [200] 310  
 Ireland—Kildare Chapel, Motion for a Paper, [200] 1161, 1167  
 Ireland—Rivers Shannon and Suck, Motion for a Paper, [199] 873  
 Irish College, &c. Paris, Address for Papers, [201] 385, 389; Motion for a Paper, 572  
 202] Irish Land, Comm. cl. 3, Amendt. 758, 763,  
     . 764, 775, 776, 785, 874, 888; cl. 4, Amendt.  
     . 955; cl. 5, Amendt. 967, 988; cl. 13,  
     . Amendt. 1060; cl. 14, Amendt. 1061;  
     . add. cl. 1063; cl. 20, Amendt. 1067; Report,  
     . cl. 3, 1431, 1439; cl. 5, 1451; Amendt.  
     . 1455; 3R. Amendt. 1708  
 Medical Act Amendment, 2R. [201] 258; Re-  
 port, [202] 1350; 3R. Amendt. 1456  
 Neutrality Laws—Contraband of War—Horses,  
 [203] 729  
 Parliament—Order of Debate, [201] 1938  
 Peace Preservation (Ireland), Comm. [200]  
 970; cl. 29, 980; cl. 38, 981  
 Sligo and Cashel Disfranchisement, 2R. [202]  
 1598, 1601

# CLARENDON, Earl of (Secretary of State for Foreign Affairs)

- Greece, Murder of British Subjects, [200] 1960;  
 [201] 1177  
 Naturalization, 2R. [199] 1130; Commons'  
 Amendts. [201] 391

# Clarendon, The Late Earl of

- Observations, Earl Granville; short debate  
 thereon June 27, [202] 950; Observations,  
 Sir Henry Lytton Bulwer June 27, 998  
 Communications from Foreign Govern-  
 ments respecting—*Parl. P.* [188]

# CLAY, Mr. J., Kingston-on-Hull

- Bridgwater and Beverley Disfranchisement,  
 2R. [200] 1802, 1804  
 Contagious Diseases Acts Repeal, Leave, [201]  
 1345  
 Peace Preservation (Ireland), Comm. cl. 27,  
 [200] 675  
 Water Supply on Sunday (Metropolis), Leave,  
 [200] 1372

# Clerical Disabilities Bill

- (*Mr. Hibbert, Mr. John Lewis, Mr. Biddulph*)  
 c. Acts considered in Committee; after short  
 debate, Bill ordered; read 1<sup>st</sup> \* Feb 25, [199]  
 868 [Bill 49]  
 Moved, "That the Bill be now read 2<sup>o</sup>."  
 May 25, [201] 1365; after debate, Question  
 put; A. 137, N. 56; M. 81; Bill read 2<sup>o</sup>

[cont.]

# Clerical Disabilities Bill—cont.

- Order for Committee read; Moved, "That Mr.  
 Speaker do now leave the Chair" June 17,  
 [202] 448; Question put, "That the Debate  
 be now adjourned" (*Mr. Cross*); A. 47,  
 N. 99; M. 52  
 Question again proposed; Amendt. to leave  
 out from "That" and add "the Bill be com-  
 mitted to a Select Committee" (*Mr. Beres-  
 ford Hope*); Question proposed, "That the  
 words, &c.;" Question put, "That the De-  
 bate be now adjourned" (*Mr. Arthur Guest*);  
 A. 30, N. 74; M. 44  
 Question again proposed, "That the words,  
 &c.;" Question put, "That this House do  
 now adjourn" (*Mr. Pell*); A. 28, N. 73;  
 M. 45  
 Question again proposed, "That the words,  
 &c.;" Question put, "That the Debate be  
 now adjourned" (*Mr. Raikes*); A. 24, N. 69;  
 M. 45  
 Question again proposed, "That the words,  
 &c.;" Question put, "That this House do  
 now adjourn" (*Mr. Hodgson*); A. 24, N. 68;  
 M. 44  
 Question again proposed, "That the words,  
 &c.;" Question put, "That the Debate be  
 now adjourned" (*Mr. Heygate*); A. 24,  
 N. 68; M. 44  
 Question again proposed, "That the words,  
 &c.;" Question put, "That this House do  
 now adjourn" (*Mr. Starkie*); A. 24, N. 68;  
 M. 44  
 Question again proposed, "That the words,  
 &c.;" Question put, "That the Debate be  
 now adjourned" (*Mr. Rowland Winn*); A. 24,  
 N. 66; M. 42  
 Question again proposed, "That the words,  
 &c.;" Question put, "That this House do  
 now adjourn" (*Colonel Charles Lindsay*);  
 A. 24, N. 66; M. 42  
 Question again proposed, "That the words,  
 &c.;" Question put, "That the Debate be  
 now adjourned" (*Mr. Finch*); A. 21, N. 66;  
 M. 45  
 Question put, "That the words, &c.;" A. 70,  
 N. 15; M. 55  
 Main Question, "That Mr. Speaker, &c.," put,  
 and agreed to; Committee—R.F.  
 Committee; Report July 7, [202] 1692  
 Considered \* July 11  
 Read 3<sup>o</sup> \* July 12  
 l. Read 1<sup>st</sup> \* (*Lord Houghton*) July 14 (No. 210)  
 Read 2<sup>a</sup>, after short debate July 26, [203] 926  
 Moved, "That the House do now resolve itself  
 into Committee" July 28, 1064  
 Amendt. to leave out ("now") and insert  
 ("this day three months") (*The Earl Beau-  
 champ*); after short debate, on Question,  
 That ("now,") &c.; Cont. 52, Not-Cont. 29;  
 M. 23; resolved in the affirmative; Com-  
 mittee  
 Report \* August 1 (No. 254)  
 Read 3<sup>a</sup> \* August 4  
 c. Lords' Amendts. considered August 8, 1725  
 Page 3, leave out Clause 7, the first Amendt.  
 read 2<sup>o</sup>  
 Motion made, and Question put, "That this  
 House doth agree with The Lords in the  
 said Amendt.;" A. 41, N. 9; M. 32; Subse-  
 quent Amendts. agreed to  
 l. Royal Assent August 9 [33 & 34 Vict. c. 91]



**Clerk of the Peace (County Palatine of****Lancaster) Bill** (*The Lord Clandeboye*)l. Presented; read 1<sup>a</sup>\* July 22 (No. 242)**CLEVELAND, Duke of**

Belgium—Neutrality of, [203] 1762

Benefices, 2R. [202] 1341

Irish Land, Comm. cl. 3, [202] 885

Married Women's Property, 2R. [202] 619

Sequestration, 2R. [201] 802

Settled Estates, 2R. [203] 613

**CLIVE, Colonel E. H., Hereford City**

Army—Reserve Ammunition, Supplying of, [203] 1687

**CLONCURRY, Lord**

Irish Land, Comm. cl. 4, Amendt. [202] 957;

cl. 12, Amendt. 1054

**COCHRANE, Mr. A. D. W. Baillie, Isle of Wight**

Gambia—Settlement of, Address for Papers, [203] 355

Greece—Murder of British Subjects, [203] 1232, 1285, 1416, 1421

Metropolis—Hyde Park—The Serpentine, Res. [203] 537

Metropolis—Thames Embankment, Motion for an Address, [202] 1753, 1770

Supply—Buildings of the Houses of Parliament, [203] 909

Colonies—Grants in Aid, [203] 1244

Embassies and Missions Abroad, [203] 1225

War, The, [203] 1340

**COGAN, Right Hon. W. H. F., Kildare Co.**

Conventual and Monastic Institutions, Comm. Amendt. [200] 1588; [201] 529

Irish Land, 2R. [199] 1797; Comm. cl. 1, [200] 761, 772; cl. 2, 1035; cl. 3, 1452; add. cl. [201] 1031, 1261; Consid. add. cl. 1419, 1431

Peace Preservation (Ireland), Comm. cl. 8, [200] 582; cl. 13, 589, 595; cl. 27, 650; cl. 37, 693

**Coinage**Motion for Returns (*Lord Kinnaird*) Mar 18, [200] 199; after short debate, Motion negatived

International, Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer Mar 7, [199] 1371

Correspondence—(*Parl. P.* No. 106)[See title *Mint, The Royal*]**Coinage Bill**(*Mr. Chancellor of the Exchequer, Mr. Stansfeld*)199] c. Motion for Leave (*Mr. Chancellor of the Exchequer*) Feb 10, 152; Bill ordered, after short debate; read 1<sup>a</sup>\* [Bill 13]Bill read 2<sup>a</sup>, after short debate Feb 25, 861

Committee\*; Report Feb 28

Re-comm.; Report Mar 10; 1726 [Bill 51]

Considered\* Mar 11

Read 3<sup>a</sup>\* Mar 14

[cont.]

**Coinage Bill—cont.**l. Read 1<sup>a</sup>\* (*The Marquess of Lansdowne*) (No. 36)200] Read 2<sup>a</sup>, after debate Mar 18, 200

Moved, "That the House do now resolve itself into Committee" Mar 22, 411

Amendt. to leave out after ("That") and insert ("The Bill be referred to a Select Committee") (*The Lord Kinnaird*); after short debate, Motion withdrawn; original Motion agreed to; Committee

Report Mar 24, 561

(No. 45)

Read 3<sup>a</sup>\* Mar 25

Royal Assent April 4

[33 Vict. c. 10]

**COLCHESTER, Lord**

Army—Regimental Canteens, Address for Papers, [201] 268

Bridgwater and Beverley Disfranchisement, 2R. [201] 1493; Comm. 1694

Elementary Education, Comm. cl. 14, Amendt. [203] 1179; cl. 73, 1190; Report, cl. 71, Amendt. 1267

Sligo and Cashel Disfranchisement, 2R. [202] 1599

**COLEBROOKE, Sir T. E., Lanarkshire, S.**

Church Rates (Scotland), 2R. [199] 1594

County Government, Res. [201] 1867

Customs and Inland Revenue, Comm. cl. 21, [201] 1810

Poor Relief (Metropolis), Comm. cl. 1, [200] 2135

Public Prosecutions, Motion for a Committee, [201] 479

Scotland—Schools in, [203] 875

Sheriffs (Scotland) Act Amendment, Comm. [203] 466

Truck Acts, Motion for a Commission, [203] 146

Ways and Means, Report, Res. 7, [200] 1722

**COLERIDGE, Sir J. D., see SOLICITOR GENERAL, The****COLLIER, Sir R. P., see ATTORNEY GENERAL, The****COLLINS, Mr. T., Boston**

Ballot, 2R. [200] 58

Beverley Election Proceedings, [200] 327

Burials, 2R. [200] 544; Comm. cl. 1, Amendt. [203] 192, 193

Census, Comm. cl. 4, [203] 1009

Clerical Disabilities, Comm. [202] 1692

199] Elementary Education, 2R. 2087

202] Comm. cl. 7, 1042, 1044, 1047, 1051; cl. 14, 1267; cl. 27, 1329

203] cl. 82, 83; add. cl. 258, 264, 267; Schedule II, 313, 315; Consid. 489; cl. 27, 499;

cl. 92, 502; Schedule II, 657

Gun Licences, Comm. cl. 7, [203] 464; Consid. 698

House Tax, Res. [200] 1377

Income Tax Assessment, 2R. [199] 1731

Ireland—Rating, Motion for a Committee, [201] 2010

Ireland—Trinity College, Dublin, Res. [200] 1144

Irish Land, Comm. cl. 2, Motion for reporting Progress, [200] 1046

Marriage with a Deceased Wife's Sister, [199] 435, 532; Comm. [200] 1954; cl. 1, 1959

[cont.]

## COLLINS, Mr. T.—cont:

- Members of Parliament Payment, Leave, [200] 1368  
 Metropolis—Thames Embankment, Motion for an Address, [202] 1784  
 Parliament—Morning Sittings, [203] 415  
 Parliament—Sittings of the House, Res. Amendt. [202] 707, 712  
 Peace Preservation (Ireland), Comm. cl. 38, [200] 697  
 Pilotage, Comm. [202] 599  
 Public Prosecutors, 2R. [201] 245  
 Representation of the People Act Amendment, 2R. Motion for Previous Question, [202] 134  
 Sligo and Cashel Disfranchisement, 2R. [202] 315  
 Supply—Works and Public Buildings, [203] 688, 689

## Colonies

- British Colonies*, Observations, The Earl of Carnarvon; Reply, Earl Granville; long debate thereon Feb 14, [199] 193; Correspondence respecting conference of Colonial Representatives in London presented  
*Parl. P.* [24] [51]  
*Central America—Belize*, *British Residents at*, Question, Mr. Candlish; Answer, Mr. Monsell July 21, [203] 632  
*Natal—Withdrawal of Troops from*, Question, Mr. R. N. Fowler; Answer, Mr. Monsell April 29, [200] 2060  
*New South Wales—Polynesian Labourers*, Question, Admiral Erskine; Answer, Mr. Monsell Mar 7, [199] 1371  
*South Africa—Orange Free State*, Question, Mr. Gilpin; Answer, Mr. Monsell Feb 21, [199] 590  
 [See titles *Africa—Cape of Good Hope*]  
*Waste Lands in the*, Question, Mr. Macfie; Answer, Mr. Monsell Mar 28, [200] 719  
*Western Australia—Free Emigrants*, Question, Sir James Lawrence; Answer, Mr. Monsell Feb 14, [199] 241; Mar 4, 1239  
*Withdrawal of Troops—The 18th Regiment*, Question, Mr. R. Torrens; Answer, Mr. Monsell April 25, [200] 1728  
*(Parl. P. Nos. 38, 254)*

## Colonies

Moved, "That a Select Committee be appointed to inquire into the political relations and modes of official intercommunication between the self-governing Colonies and this Country, and to report whether any or what modifications are desirable, with a view to the maintenance of a common nationality cemented by cordial good understanding" (*Mr. Robert Torrens*) April 26, [200] 1817; Previous Question proposed, "That that Question be now put" (*Viscount Bury*); after long debate, Previous Question put; A. 67, N. 110; M. 43

## Colonies

Moved, "That an humble Address be presented to Her Majesty, to inform Her Majesty that this House has seen with great satisfaction the spontaneous expressions of loyalty and attachment to the British Crown which have lately emanated from many of the Colonies;

[cont.

## Colonies—cont.

and to pray that Her Majesty will be graciously pleased to appoint a Commission to inquire into the means best fitted to guarantee the security of every part of Her Majesty's dominions" (*Earl Russell*) June 20, [202] 451; after long debate, Motion withdrawn  
 [See titles *New Zealand—Canada, Dominion of*]

## COLONSAY, Lord

- Habitual Criminals, [200] 570  
 Magistrates in populous Places (Scotland), 3R. [203] 238  
 Sheriffs (Scotland) Act Amendment, 2R. [203] 947; Comm. cl. 13, Amendt. 1070

COLTHURST, Sir G. C., *Kinsale*

- Irish Land, Comm. cl. 3, [200] 1311, 2010; cl. 14, [201] 427

## Commercial Treaties

- Commerce, Treaties of*, Question, Mr. Somerset Beaumont; Answer, The Chancellor of the Exchequer Feb 25, [199] 806; Question, Mr. Somerset Beaumont; Answer, Mr. Gladstone Feb 28, 882  
 France and Austria—*Parl. P.* [33, 127]  
*Commercial Treaty with France*, 1860, Question, Mr. Newdegate; Answer, Mr. Gladstone Feb 11, [199] 177  
*Convention with China*, Question, Mr. Akroyd; Answer, Mr. Otway Feb 15, [199] 330  
*France and Austria*, Question, Mr. Newdegate; Answer, Mr. Gladstone Feb 15, [199] 324  
*Spain and Portugal*, Question, Mr. Akroyd; Answer, Mr. Otway Feb 17, [199] 434

## Commons and Waste Lands

- Question, Mr. Vernon Harcourt; Answer, Mr. Knatchbull-Hugessen Mar 7, [199] 1366

## Competitive Examinations—Attendance of Candidates in Police Courts

- Question, Dr. Lush; Answer, Mr. Stansfeld July 8, [202] 1710  
 [See title *Civil Service*]

## Competitive Examinations—Diplomatic and Civil Services

- Amendt. on Committee of Supply Feb 25, To leave out from "That" and add "in the opinion of this House, the Government should, with the least delay possible, introduce a measure, the effect of which would be to apply the principle of open competition to appointments in the Civil and Diplomatic Services" (*Mr. Fawcett*), [199] 807; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn  
 [See title *Civil Service*]

CONOLLY, Mr. T., *Donegal Co.*

- Irish Church, 2R. [199] 1677  
 Irish Land, 2R. [199] 1343  
 Peace Preservation (Ireland), Leave, [200] 84, 109; 2R. 488, 489



**Consolidated Fund (Appropriation) Bill**(Mr. Dodson, Mr. Chancellor of the Exchequer,  
Mr. Stansfeld)

- c. Ordered; read 1<sup>o</sup> \* August 3  
 Bill read 2<sup>o</sup>, after short debate August 4, [203]  
 1528  
 Order for Committee read; Moved, "That Mr.  
 Speaker do now leave the Chair" August 5,  
 1581; Committee; Report, after debate  
 Read 3<sup>o</sup> \* August 6  
 l. Read 1<sup>a</sup> \* (Earl Granville) August 6 (No. 309)  
 Read 2<sup>a</sup> \*; Committee negative August 8  
 Read 3<sup>a</sup> \* August 9  
 Royal Assent August 10 [33 & 34 Vict. c. 96]

**Consolidated Fund (£9,564,191 17s. 2d.) Bill**

- c. Ordered; read 1<sup>o</sup> \* Mar 16  
 Read 2<sup>o</sup> \* Mar 17  
 Committee \*; Report Mar 18  
 Read 3<sup>o</sup> \* Mar 21  
 l. Read 1<sup>a</sup> \* Mar 21  
 Read 2<sup>a</sup> \*; Committee negative Mar 22  
 Read 3<sup>a</sup> \* Mar 24  
 Royal Assent Mar 25 [33 Vict. c. 5]

**Consolidated Fund (£9,000,000) Bill**(Mr. Dodson, Mr. Chancellor of the Exchequer,  
Mr. Stansfeld)

- c. Resolution in Committee; reported, and agreed  
 to; Bill ordered; read 1<sup>o</sup> \* July 5  
 Read 2<sup>o</sup> \* July 6  
 Committee \*; Report July 7  
 Read 3<sup>o</sup> \* July 8  
 l. Read 1<sup>a</sup> \* (The Marquess of Lansdowne) July 11  
 Read 2<sup>a</sup> \* July 12  
 Committee \*; Report July 14  
 Read 3<sup>a</sup> \* July 15  
 Royal Assent August 1 [33 & 34 Vict. c. 31]

**Constabulary Force (Ireland) Bill**(Mr. Solicitor General for Ireland, Mr. Chichester  
Fortescue)

- c. Ordered; read 1<sup>o</sup> \* July 27 [Bill 241]  
 Read 2<sup>o</sup> \* August 1  
 Committee \*; Report August 2  
 Considered \*; read 3<sup>o</sup> August 3  
 l. Read 1<sup>a</sup> \* (The Lord Dufferin) August 4  
 Read 2<sup>a</sup> \* August 5 (No. 291)  
 Committee \*; Report August 6  
 Read 3<sup>a</sup> \* August 8  
 Royal Assent August 9 [33 & 34 Vict. c. 83]

**Consular Jurisdiction—Report of International Commission**Question, Viscount Sandon; Answer, Mr.  
Otway Feb 24, [199] 771  
Report—(Parl P. No. 186)**Contagious Diseases Acts**Case of Elizabeth Holt, Question, Mr. Jacob  
Bright; Answer, Mr. Bruce Mar 10, [199]  
1628The Petitions, Question, Observations, Viscount  
Lifford, The Duke of Argyll; Reply, The  
Earl of Minto May 24, [201] 1264**Contagious Diseases Acts (1866—1869) Repeal Bill**

- c. Moved, "That leave be given to bring in a Bill  
 to repeal the Contagious Diseases Acts (1866  
 —1869)" (Mr. W. Fowler) May 24, [201]  
 1306

**Strangers Ordered to Withdraw**Moved, "That the debate be now adjourned"  
(Major Anson); after long debate, Question  
put; A. 229, N. 88; M. 141; Debate ad-  
journedReport of the opinions of the several Members  
who addressed the House, so far as they can  
be ascertained

Debate resumed July 20, [203] 574

**Strangers Ordered to Withdraw**After long debate, Debate further adjourned  
Report of the opinions of the several Members  
who addressed the House, so far as they can  
be ascertained**Contagious Diseases (Animals) Act**Question, Mr. C. S. Read; Answer, Mr. W. E.  
Forster Feb 15, [199] 331**Contagious Diseases Prevention (Metropolis) Bill [H.L.] (The Marquess Townshend)**

- l. Presented; read 1<sup>a</sup> \* June 21 (No. 161)  
 Bill withdrawn, after short debate July 12,  
 [203] 96

**Conventual and Monastic Institutions**

- 200] Moved, "That a Select Committee be appointed  
 to inquire into the existence, character, and  
 increase of Conventual and Monastic Insti-  
 tutions or Societies in Great Britain, and  
 into the terms, upon which income, prop-  
 erty, and estates belonging to such Insti-  
 tutions or Societies, or to members thereof,  
 are respectively received, held, or possessed"  
 (Mr. Newdegate) Mar 29, 872; after debate,  
 Question put; A. 131, N. 129; M. 2

- . Moved, "That the Select Committee on Con-  
 ventual and Monastic Institutions be nomi-  
 nated by the Committee of Selection" (Mr.  
 Newdegate) April 8, 1588

Amendt. to leave out from "That the" and  
add "Order for the appointment of the  
Committee be discharged" (Mr. Cogan);  
Question proposed, "That the words, &c.;"  
after short debate, Moved, "That this House  
do now adjourn" (Mr. Dodds); after short  
debate, Motion withdrawnMoved, "That the debate be now adjourned"  
(Mr. Pease); A. 76, N. 110; M. 34Moved, "That this House do now adjourn"  
(Mr. Brady); Question put, and negative;  
after further short debate, Debate adjourned

- . Observations, Mr. Newdegate April 25, 1728  
 : Debate resumed April 28, 2025

Moved, "That the debate be now adjourned"  
(Mr. Pease); A. 123, N. 173; M. 45Moved, "That this House do now adjourn"  
(Mr. Herbert); Motion negative; after fur-  
ther debate, Debate adjourned

- 201] Question, Mr. Reed; Answer, Mr. Newde-  
gate May 2, 6

- . Debate resumed May 2, 51; after short debate,  
 Question put, and negative

*Conventual and Monastic Institutions—cont:*

201] Question proposed, "That those words be added, instead thereof;" after further debate, Moved, "That the debate be now adjourned" (*Mr. Greene*); Motion withdrawn; Question put; A. 270, N. 160; M. 110; main Question, as amended, put, and agreed to; Order discharged

Motion made, and Question proposed, That a Select Committee be appointed "to inquire into the state of the Law respecting Conventual and Monastic Institutions or Societies in Great Britain, and into the terms upon which income, property, and estates belonging to such Institutions or Societies, or to members thereof, are respectfully received, held, or possessed" (*Mr. Gladstone*); after further debate, Question put; A. 348, N. 57; M. 291

And, on May 10, Select Committee nominated as follows:—*Mr. Villiers* (Chairman), *Mr. Bourke*, *Mr. Thomas Chambers*, *Mr. Cogan*, *Mr. George Gregory*, *Mr. Howes*, *Mr. Jessel*, *Mr. Matthews*, *Mr. Newdegate*, *The O'Connor Don*, *Sir John Ogilvy*, *Mr. O'Reilly*, *Mr. Pease*, *Mr. Pemberton*, *Mr. Sherlock*, and *Mr. John Gilbert Talbot*

Moved, "That it be an Instruction to the Committee that they have power to include in their inquiries, Anglican and other religious institutions in Great Britain of a Conventual or Monastic character" (*Mr. Eykyn*); after short debate, Motion agreed to

Moved, "That it be an Instruction to the Committee not to inquire into matters which would involve a criminal charge against any person, or the forfeiture of any legal or equitable interest in property" (*Mr. Matthews*), 530; after short debate, Motion withdrawn

Moved, "That the Select Committee on Conventual and Monastic Institutions, &c., do consist of sixteen Members" (*Mr. Newdegate*) May 23, 1862; after short debate, Question put; A. 34, N. 95; M. 61

Report of Select Committee July 25—  
(*Parl. P. No. 383*)

*Cook, W. H., Esq., Q.C.*

*Beverley Election*, Question, *Mr. Eykyn*; Answer, *Mr. Bruce Feb 25*, [199] 801; Questions, *Mr. Eykyn*, *Mr. Haviland-Burke*; Answers, *The Attorney General Mar 7*, 1864

*Committal of Foreman of a Jury at Norwich*, Question, *Mr. Haviland-Burke*; Answer, *The Solicitor General Mar 1*, [199] 1002

*County Court Judge Appointment*, Question, *Mr. Haviland-Burke*; Answer, *The Solicitor General April 4*, [200] 1174

*Coote, Captain, Dismissal of, from Shrievalty of Monaghan*

Moved, "That, in the opinion of this House, the conduct of the Government in the dismissal of Captain Coote from the Shrievalty of the county of Monaghan and the appointment of his successor has been unconstitutional, and calculated to impede the due performance of public duty" (*Viscount Crichton*) Mar 4, [199] 1877; after long debate, Question put; A. 113, N. 193; M. 80

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Question, *Mr. Macfie*; Answer, *Mr. O'way May 30*, [201] 1595

*CORBETT, Colonel E., Shropshire, S.*

Army—Militia, Officers of, [199] 1737; [203] 1522

Elementary Education, Comm. cl. 46, [202] 1861; Schedule II, [203] 280

Irish Land, Comm. cl. 3, [200] 1077

Medical Officers Superannuation, 2R. [202] 726

Public Schools, Motion for an Address, [201] 193

Suburban Commons, 2R. [201] 567

*Coroners Bill*

(*Mr. Goldney, Mr. Walter, Mr. Thomas Chambers, Mr. Pease*)

c. Ordered; read 1<sup>o</sup> Feb 22 [Bill 42]

Read 2<sup>o</sup> Mar 9

Bill withdrawn \* June 29

*CORRANCE, Mr. F. S., Suffolk, E.*

Elementary Education, 2R. [199] 2008; Comm. cl. 7, Amendt. [202] 1027, 1030; cl. 9, 1120; Amendt. 1214; cl. 26, Amendt. 1325, 1327; cl. 46, 1657; cl. 55, Amendt. 1674; add. cl. [203] 259

Friendly Societies, Leave, [199] 158; [201] 1410

200] Irish Land, Comm. cl. 1, 754; Amendt.

. 1003, 1013, 1024; cl. 3, Amendt. 1065, 1074,

. 1304; Amendt. 1327, 1331, 1463, 1534,

. 1983, 1988

201] Amendt. 33; cl. 4, 292, 293, 305, 319; cl. 6,

. 397; cl. 8, Amendt. 400, 404; cl. 18, 584;

. cl. 41, 748, 770; cl. 66, Amendt. 772

Pauperism and the Poor Laws, [199] 112

Vagrants, Police Regulation of, Res. [201] 643

*Corrupt Practices Acts Amendment Bill*

(*Mr. Bouverie, Mr. Bonham-Carter*)

c. Ordered; read 1<sup>o</sup> July 21 [Bill 235]

Read 2<sup>o</sup> July 25

Committee\*; Report July 27

Committee\* (*on re-comm.*); Report July 28 [Bill 246]

Committee\* (*on re-comm.*); Report August 1

Read 3<sup>o</sup> August 2

l. Read 1<sup>a</sup> August 4 (No. 282)

*Corrupt Practices—Reported Persons*

Moved, "That a Select Committee be appointed to inquire into the state of the Law affecting such persons as have been reported guilty of Corrupt Practices by any Commission issued in accordance with the Acts 15 & 16 Vic. c. 57, and 31 & 32 Vic. c. 125, and who are now Members of this House, and to recommend what proceedings, if any, should be taken by this House with respect to such Members, and what alteration, if any, should be made in the Law" (*Mr. Gladstone*) April 11, [200] 1687

Amendt. to leave out after "inquire into the" and add "operation of the Acts 15 & 16 Vic. c. 57, and 31 and 32 Vic. c. 125, and to recommend what alteration, if any, should be made in the Law; and, further, to in-

[cont.]



**Corrupt Practices—Reported Persons—cont.**

quire into the truth of the allegations contained in Petitions which have been presented to this House during the present Session, praying that an inquiry may be instituted into the conduct of certain Commissioners appointed in accordance with the provisions of the above-recited Acts" (*Mr. Lowther*); Question proposed, "That the words, &c.," after debate, Amendt. withdrawn; original Question put, and agreed to And, on *May 3*, Committee nominated as follows:—*Mr. Disraeli* (Chairman), *Mr. Bouverie*, *Sir George Grey*, *Mr. Russell Gurney*, and *Sir Roundell Palmer*

Report of Select Committee *June 23*—  
(*P. P.* No. 302)

**Corrupt Practices at Elections—Expenses of Royal Commissioners, 1869**

Moved, "That there be laid before this House, a Return of all expenses incurred by the Royal Commissions severally appointed during the year 1869 to inquire into the existence of Corrupt Practices at Elections in the City of Norwich, and the Boroughs of Beverley and Bridgwater" (*Mr. James Lowther*) *July 5*, [202] 1546; after short debate, Debate adjourned

[See titles *Beverley and Bridgwater Elections*] (*Parl. P.* 468)

**CORRY, Right Hon. H. T. L., Tyrone Co.**  
Navy—"Inconstant" and "Volage," *The*, [203] 29

*Symonds*, *Sir T.*, [203] 116, 118

Navy—Naval Retirement, *Res.* [200] 140; [203] 29

Navy Estimates—Admiralty Office, [201] 1666, 1669

Men and Boys, [199] 914, 920, 938, 944, 991

Miscellaneous Services, [201] 1678

Naval Stores, [201] 1751, 1755

Victualling Yards, [201] 1677, 1703, 1709

**County Coroners (Ireland) Bill**

(*Mr. Vance*, *Mr. Callan*)

c. Ordered; read 1<sup>o</sup> *Mar 4* [Bill 64]

Moved, "That the Bill be now read 2<sup>d</sup>" *May 11*, [201] 548

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Ayrton*); after debate, Question put, "That 'now,' &c.;" A. 98, N. 172; M. 74; words added; main Question, as amended, put, and agreed to; 2R. put off for six months

**County Courts (Buildings) Bill**

(*Mr. Ayrton*, *Mr. Stansfeld*)

c. Ordered; read 1<sup>o</sup> *Mar 28* [Bill 91]

Read 2<sup>o</sup> *Mar 30*

Committee\*; Report *April 4*

Read 3<sup>o</sup> *April 5*

l. Read 1<sup>o</sup> (*The Marquess of Lansdowne*) *April 8*

Read 2<sup>o</sup> *May 2* (No. 70)

Committee\* *May 3* (No. 80)

Report\* *May 5* (No. 83)

Read 3<sup>o</sup> *May 6*

Royal Assent *June 20* [33 & 34 *Vict.* c. 15]

**County Finance Administration**

Question, *Mr. Campbell*; Answer, *Mr. Knatchbull-Hugessen* *Feb 14*, [199] 245

**County Government**

Amendt. on Committee of Supply *June 10*, To leave out from "That" and add "in the opinion of this House, the principle of representation ought to be applied to the government and financial administration of Counties" (*Mr. Campbell*), [201] 1853; after short debate, Question put, "That the words, &c.;" A. 61, N. 39; M. 22

**County of London Bill**

(*Mr. Buxton*, *Mr. Thomas Hughes*)

c. Ordered; read 1<sup>o</sup>, and referred to the Examiners of Petitions for Private Bills *Mar 7* [Bill 67]

Moved, "That the Bill be now read 2<sup>o</sup>" *May 18*, [201] 893

After short debate, Amendt. to leave out "now" and add "upon this day six months" (*Mr. Bentinck*); Question proposed, "That 'now,' &c.;" after further short debate, Debate adjourned

**COURTOWN, Earl of**

Irish Land, *Comm. cl. 2*, [202] 757; *cl. 12*, Amendt. 1056; *cl. 40*, Amendt. 1069

Peace Preservation (Ireland), *Comm. cl. 38*, Amendt. [200] 981

**Courts of Common Law, Fees in the**

Question, *Mr. Whitwell*; Answer, *Mr. Stansfeld* *June 10*, [201] 1841

**Courts of Justice, The New**

Question, *Mr. W. H. Smith*; Answer, *Mr.*

*Ayrton* *June 27*, [202] 1006

*Plans*, Question, *Mr. Headlam*; Answer, *Mr. Ayrton* *Feb 21*, [199] 953

*Site*, Question, *Mr. Headlam*; Answer, *Mr. Ayrton* *Feb 11*, [199] 168

Estimate, *Advances 1870-71—P. P.* 394

Amendt. on Committee of Supply *July 28*, "That, in the opinion of this House, such building should be proceeded with without further delay" (*Mr. G. B. Gregory*), [203] 1111; after short debate, Amendt. withdrawn Question, *Lord Denman*; Answer, *The Marquess of Lansdowne* *August 9*, [203] 1730

**COWEN, Mr. J., Newcastle-on-Tyne**

Gun Licences, *Comm. cl. 7*, Motion for reporting Progress, [202] 856

**COWLEY, Earl**

Clarendon, Late Earl of, [202] 952

**COWPER, Earl**

Army—Breech-loaders for Militia and Volunteers, [203] 1270

## COWPER-TEMPLE, Right Hon. W. F.,

*Hampshire, S.*

- British Museum, [199] 685  
 199] Elementary Education, Leave, 480  
 200] 2R. 287  
 202] Comm. 295, 648; *cl.* 7, 1043, 1108; *cl.* 14, 1276; *cl.* 27, 1402; Amendt. 1415; *cl.* 54, 1673; *cl.* 64, Amendt. 1715  
 203] *cl.* 65, 57; *add. cl.* 262; Schedule II, 297; 3R. 738  
 Epping Forest, Motion for an Address, [199] 255  
 Metropolis—National Gallery, Motion for Correspondence, [201] 1079  
 Metropolis—Thames Embankment, Motion for an Address, [202] 1778  
 New Forest, The, [203] 1526  
 Palace of Westminster—Case of Mr. Edward Barry, Res. [201] 670, 690, 729  
 Parochial Councils, Leave, [202] 1181  
 Suburban Commons, Leave, [199] 707; 2R. [201] 560, 568  
 Supply—Buildings of the Houses of Parliament, [203] 910  
 Royal Parks, [203] 913

CRAUFURD, Mr. E. H. J., *Ayr, &c.*

- Annuity Tax (Edinburgh), 2R. [199] 1107  
 Census, 2R. [203] 818  
 Church Rates (Scotland), 2R. [199] 1597  
 Contagious Diseases Acts Repeal, Leave, [201] 1306, 1307; [203] 574  
 Gun Licences, 2R. [201] 1682; 3R. Amendt. [203] 766  
 Navy—Coastguard, Res. [199] 849  
 Parliament—Exclusion of Strangers from the House, [201] 1647  
 Revenue Officers, Motion for a Committee, [199] 705  
 Scotland—Court of Session, [199] 1737  
   Faggot Votes, [199] 797  
   Lunacy Commission, [201] 279, 280  
 Scotland—Poor Law, Motion for a Committee, [199] 286  
 Stamp Duty on Leases, Comm. *cl.* 1, [201] 1986  
 Supply—Board of Lunacy (Scotland), [203] 783, 804  
   Poor Law Commission (Scotland), [203] 805  
   Queen's and Lord Treasurer's Remembrancer, [203] 782  
 War Office, 3R. [200] 1764

CRAWFORD, Mr. R. W., *London*

- Cab Fares, [202] 782  
 Coinage, Leave, [199] 155; 2R. 863; Comm. *cl.* 3, Amendt. 1727; *cl.* 7, Amendt. *ib.*, 1729; *cl.* 11, Amendt. 1730; *cl.* 16, *ib.*  
 Customs and Inland Revenue, 2R. [201] 1629; Comm. Amendt. 1770, 1788, 1800, 1801; *cl.* 21, 1810; Consid. *add. cl.* [202] 306  
 East India (Council of State), Res. [201] 832  
 France—Commercial Treaty, Motion for a Committee, [201] 159  
 India—Civil Service, [199] 772  
 Ink, Cost of, for the Public Service, [201] 1045  
 Ireland—Telegraphic Communication, Res. [203] 159  
 Losses at Sea, Motion for a Commission, [201] 1101  
 Metropolis—Thames Embankment, Motion for an Address, [202] 1766  
 National Debt Acts, Res. [199] 186

CRAWFORD, Mr. R. W.—*cont.*

- Pilotage, 2R. [199] 774  
 Postage, Foreign, [201] 1944  
 Stamp Duties, 2R. [201] 1637  
 Sugar, Drawback on, [201] 1409, 1410  
 Supply—Mint—Coinage, [203] 373  
   Post Office Packet Service, [203] 1253  
 Telegraph Department, [200] 1172  
 Ways and Means Financial Statement, [200] 1654

## Creditors Sequestrations Bill [H.L.]

*(The Earl of Harrowby)*

1. Presented; read 1<sup>st</sup> \* May 10 (No. 91)  
 Bill withdrawn \* May 17

CRICHTON, Viscount, *Enniskillen*

- Army—Unattached Promotions, [200] 1170  
 County Coroners (Ireland), 2R. [201] 553  
 Ireland—Coote, Captain, Case of, Res. [199] 1877, 1890, 1919  
 Ireland—Magisterial Appointments, Motion for Papers, [200] 2089  
 Irish Land, 2R. [199] 1463  
 Party Processions (Ireland), 2R. [200] 941; Comm. [203] 166  
 Processions (Ireland), 2R. [202] 1684

*Crimean War, Cost of the*

- Question, Mr. Lambert; Answer, The Chancellor of the Exchequer August 5, [203] 1573

## Criminal Courts Procedure (Scotland)

*Bill (The Lord Advocate, Mr. Secretary**Bruce, Mr. Adam)*

- c. Ordered; read 1<sup>st</sup> \* April 25 [Bill 107]  
 Bill withdrawn \* June 20

## CRIMINAL LAW

- Atkins, Case of the Convict*, Question, Mr. Newdegate; Answer, Mr. Bruce Feb 25, [199] 806; Observations, Mr. Newdegate; Reply, Mr. Bruce, 850  
*Broadmoor Criminal Lunatic Asylum*, Question, Dr. Lush; Answer, Mr. Bruce May 17, [201] 966  
*Capital Punishment*, Question, Mr. Whalley; Answer, Mr. Bruce April 7, [200] 1428  
*Case of Brittan, committed at Trowbridge*, Question, Sir Henry Hoare; Answer, Mr. Bruce May 20, [201] 1059  
*Case of Joseph Townsend—"An Incurable Rogue,"* Question, Mr. P. A. Taylor; Answer, Mr. Bruce July 22, [203] 733  
*Commutation of Sentences*, Question, Sir George Jenkinson; Answer, Mr. Bruce Mar 22, [200] 420—*Case of Jacob Spinasa*, Observations, Sir George Jenkinson; Reply, Mr. Bruce; short debate thereon April 29, 2003  
   [See title *Criminal Sentences, Commutation of*]  
*Convict Prisons, Management of*, Question, Mr. Floyer; Answer, Mr. Bruce June 24, [202] 893  
*Criminal Lunatics*, Question, Mr. Buxton; Answer, Mr. Bruce June 20, [202] 492  
*Dangerous Exhibitions*, Question, Dr. Lush; Answer, Mr. Bruce Mar 15, [199] 1961



**CRIMINAL LAW—cont.**

*Habitual Criminals Act*, Question, Mr. Miller; Answer, The Lord Advocate *Mar* 4, [199] 1236; Question, The Earl of Carnarvon; Answer, The Earl of Kimberley; short debate thereon *Mar* 24, [200] 563; Question, Mr. Hunt; Answer, Mr. Bruce *April* 11, 1601; Question, Mr. Assheton Cross; Answer, Mr. Bruce *April* 29, 21; Question, Mr. Stapleton; Answer, Mr. Bruce *May* 5, [201] 272; Question, Mr. Rowland Smith; Answer, Mr. Knatchbull-Hugessen *May* 13, 628

*Imprisonment of a Child for Fishing*, Question, Mr. P. A. Taylor; Answer, Mr. Bruce *July* 14, [203] 244

*Judicial Sentences*, Question, Mr. J. Howard; Answer, Mr. Bruce *April* 7, [200] 1430

*Law of Murder*, Question, Mr. Hibbert; Answer, Mr. Bruce *Mar* 10, [199] 1627

*Mathew, B.A., Case of Daniel*, Question, Colonel Edwardes; Answer, Mr. Bruce *June* 16, [202] 260

*Maw, George, Case of*, Question, Mr. Pease; Answer, Mr. Bruce *June* 23, [202] 787; Question, Mr. Gourley; Answer, Mr. Bruce *July* 25, [203] 870

*Prison Workshops*, Question, Colonel Beresford; Answer, Mr. Bruce *Mar* 18, [200] 202

*Prisons—England and Wales—Prisons Act*, 1865, Question, Mr. Hibbert; Answer, Mr. Bruce *April* 26, [200] 1814

*Public Prosecutor, Appointment of*, Question, Mr. Ekykn; Answer, Mr. Bruce *Feb* 18, [199] 533

*Spanish Bull-Fights at Islington*, Question, Mr. Monk; Answer, Mr. Bruce *Mar* 31, [200] 989

*Welsh Fasting Girl, Case of the*, Question, Mr. Jones; Answer, Mr. Stansfeld *July* 1, [202] 1304

Return—Costs of Prosecution *P. P.* 285

*Wesleyan Ministers in Military Prisons*, Question, Mr. M'Arthur; Answer, Mr. Bruce *April* 7, [200] 1428

*Whitehead, George, Convict*, Question, Viscount Enfield; Answer, Mr. Bruce *Feb* 25, [199] 797

**Criminal Sentences, Commutation of**

Motion for an Address for "Return of the criminal sentences which have been wholly remitted or reduced or varied by the Crown under the advice of the Secretary of State for the Home Department during the last three years, distinguishing the cases in which the ground of interference was the supposed innocence of the parties, the severity of the sentence, or other causes" (*The Lord Penzance*) *April* 4, [200] 1148; after short debate, Motion withdrawn

Question, Mr. J. Howard; Answer, Mr. Bruce *April* 7, [200] 1430

**CROFT, Sir H. G. D., Herefordshire**

Clerical Disabilities, 2R. [201] 1383

Women's Disabilities, 2R. [201] 237

**CROSS, Mr. R. Assheton, Lancashire, S. IV.**

Benefices, Leave, [199] 696; 2R. [201] 535

Burials, 2R. Amendt. [200] 525, 559

[cont.]

**Cross, Mr. R. Assheton—cont.**

Clerical Disabilities, 2R. [201] 1383; Comm. Motion for Adjournment, [202] 448

Conventual and Monastic Institutions, Nomination of Committee, [201] 79

Customs and Inland Revenue, Comm. [201] 1794

Education—Certificated Schoolmasters, [199] 690

Elementary Education, Comm. *cl.* 7, [202] 1097; *cl.* 10, 1228, 1229; *cl.* 22, 1322; *cl.* 27, 1415, 1418, 1420; *cl.* 54, Amendt. 1672; Consid. [203] 490

Gun Licences, Comm. *cl.* 3, [202] 855

Habitual Criminals Act, [200] 2133

Irish Land, Comm. *cl.* 1, Amendt. [200] 776, 783, 1021, 1024

Lancashire, Magistracy of, [201] 1595

Licensing Question, The, [201] 84

Members of Parliament Payment, Leave, [200] 1366

Navy—Reed, Mr., Resignation of, [203] 414

Navy Estimates—Miscellaneous Services, [201] 1678, 1679

Parliament—Bills affecting the Clergy, [203] 651

Business on the Paper, [203] 412

Sittings of the House, Res. [202] 711

Parliamentary Elections, Leave, [201] 453

Parochial Councils, Leave, [202] 1145

Pilotage, Compulsory, [203] 736

Public Prosecutors, 2R. [201] 243

Savings Banks, [199] 533, 1630; [200] 725; 2R. [203] 464

Supply—County Courts, [203] 994

Turnpike Acts Continuance, [203] 801

**CUBITT, Mr. G., Surrey, W.**

Chelsea Bridge, Res. [199] 714

Elementary Education, Comm. *cl.* 8, [202] 1116; *cl.* 46, 1667; Schedule II, Motion for reporting Progress, [203] 316

Funded and Unfunded Debt, [201] 325

Land Transfer Act, [203] 484

United States—Speer, Captain, Shooting of, [201] 4

**Curragh of Kildare Bill**

(*Mr. Chichester Fortescue, Mr. Solicitor General for Ireland*)

c. Ordered; read 1<sup>st</sup> *June* 20 [Bill 175]

Read 2<sup>nd</sup> *June* 23

Committee\*; Report *June* 30

Read 3<sup>rd</sup> *July* 4

l. Read 1<sup>st</sup> (*The Lord Dufferin*) *July* 5

Read 2<sup>nd</sup> *July* 18 (No. 183)

Committee\*; Report *July* 21

Read 3<sup>rd</sup> *July* 29

Royal Assent *August* 9 [33 & 34 Vict. c. 74]

**Custom House**

Question, Lord Ernest Bruce; Answer, Mr. Stansfeld *August* 8, [203] 1688

*Salaries of Clerks*, Question, Colonel Taylor; Answer, Mr. Stansfeld *May* 12, [201] 574; Question, Sir Henry Hoare; Answer, Mr. Stansfeld *July* 4, [202] 1361; Question, Mr. Reed; Answer, Mr. Stansfeld *August* 8, [203] 1688

**Customs and Inland Revenue Bill**

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)

- c. Ordered; read 1<sup>o</sup> \* *May 20* [Bill 133]  
 Read 2<sup>o</sup>, after short debate *May 30*, [201] 1627  
 Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Chancellor of the Exchequer*) *June 9*, 1770  
 Amendt. to leave out from "That" and add "provision should be made in the Bill for the Drawback of the amount of the Duty reduced:—  
 On such Duty-paid Sugar as remained in any bonded warehouse on the close of Tuesday, the 12th April, 1870;  
 On the Stocks of Manufactured Sugar, other than Refined Sugar, or Sugar equal in quality thereto (entitled to the Drawback of 12s. the cwt.), being in quantity not less than 100 cwt., and in packages unbroken, in the hands of Refiners and Dealers, on the close of Tuesday, the 12th April, 1870, in places where there are Customs Authorities;  
 On the Stocks of Sugar under process of manufacture on the premises of Refiners on the close of Tuesday, the 12th April, 1870, which can be identified to the satisfaction of the officers of Her Majesty's Customs" (*Mr. Crawford*)  
 Question proposed, "That the words, &c.," after long debate, Amendt. withdrawn; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report [Bill 156]  
 Considered *June 16*, [202] 305  
 Read 3<sup>o</sup> \* *June 17*  
 l. Read 1<sup>st</sup> \* (*The Marquess of Lansdowne*) *June 20*  
 Read 2<sup>nd</sup> \* *July 14* (No. 146)  
 Committee \*; Report *July 15*  
 Read 3<sup>rd</sup> \* *July 18*  
 Royal Assent *August 1* [33 & 34 *Vict. c. 32*]

**Customs' Clerks—"Writers"**

Question, Captain Grosvenor; Answer, Mr. Stansfeld *Mar 3*, [199] 1146

*Customs Department—Organisation of the*  
 Question, Mr. O'Reilly; Answer, Mr. Stansfeld *Mar 7*, [199] 1368

**Customs (Isle of Man) Bill**

(*Mr. Dodson, Mr. William Henry Gladstone, Mr. Stansfeld*)

- c. Acts considered in Committee; Bill ordered; read 1<sup>o</sup> \* *Mar 21* [Bill 84]  
 Read 2<sup>o</sup> \* *Mar 24*  
 Committee \*; Report *Mar 25*  
 Read 3<sup>o</sup> \* *Mar 26*  
 l. Read 1<sup>st</sup> \* (*The Marquess of Lansdowne*) *Mar 28*  
 Read 2<sup>nd</sup> \* *April 29* (No. 54)  
 Committee \*; Report *May 2*  
 Read 3<sup>rd</sup> \* *May 3*  
 Royal Assent *May 16* [33 *Vict. c. 12*]

**DALGLISH, Mr. R., Glasgow**

Navy Estimates—Men and Boys, [199] 990  
 Parliament—Exclusion of Strangers, [201] 1649

**DALHOUSIE, Earl**

Army Enlistment, 2R. [203] 940

**DALRYMPLE, Mr. C., Buteshire**

Annuity Tax (Edinburgh), 2R. [199] 1104  
 Education Grant for Schools, [199] 770  
 Truck Acts, Motion for a Commission, [203] 149

**DALRYMPLE, Mr. D., Bath**

Army Estimates—Yeomanry Cavalry, [201] 1840  
 British Museum, Duplicate Works in, [201] 737  
 Census, Comm. cl. 4, [203] 1008  
 East India (Opium Revenue), Res. [201] 515  
 Habitual Drunkards, Res. [199] 1241, 1248  
 India—Mason, Mr., Case of, Res. [203] 798  
 Juries, 2R. [200] 1417  
 Life Assurance Companies, Comm. cl. 20, [202] 1188  
 Medical Officers Superannuation, 2R. [202] 718  
 Navy—Coastguard, Res. [199] 846  
 Supply—Foreign Office, [202] 397  
 Post Office Telegraph Service, [203] 1255  
 Privy Council Office, [202] 403  
 Vaccination Act Amendment, 2R. [201] 1560; [202] 1591

**DAMEE, Hon. Captain L. S. W. DAWSON-, Portarlington**

Divorce Court, Proceedings in the, [199] 994  
 Ireland—Jury Law, [199] 1478  
 Metropolis—Hyde Park—Serpentine, The, [200] 1170  
 Leicester Square, [201] 1594; [202] 625  
 Palace of Westminster—Plans of the Flues, &c. [201] 1593

**DARTREY, Earl of**

Irish Land, Comm. cl. 1, Amendt. [202] 746, 747; cl. 21, 1067

**DAVENPORT, Mr. W. BROMLEY-, Warwickshire, N.**

Army Estimates—Yeomanry Cavalry, [201] 1837  
 Birmingham Poor Law Guardians, [200] 1173  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 2030, 2032; Nomination of Committee, [201] 64  
 Vagrants, Police Regulation of, Res. [201] 642

**DAWSON, Mr. R. PEEL-, Londonderry Co.**

Ireland—Regium Donum, [199] 241

**DEASE, Mr. E., Queen's Co.**

Army—Lundy, Deputy Commissary General, [203] 640  
 Ireland—Goold, Mr., Case of, [200] 1506

**DEASE, Mr. M. O'REILLY-, Louth Co.**

Diplomatic and Consular Services, Motion for a Committee, [199] 794  
 Ireland—Louth Election, [199] 1290  
 Irish Land, 2R. [199] 1382  
 Marriage with a Deceased Wife's Sister, Comm. [200] 1920  
 Permissive Prohibitory Liquor, 2R. [203] 183

**Debtors (Ireland) Bill [H.L.]**

(*The Marquess of Chancery*)

- l. Presented; read 1<sup>st</sup> \* *May 31* (No. 126)



DE GREY AND RIFON, Earl (Lord President of the Council)

- Army Enlistment, 3R. [203] 1616  
 Benefices, 2R. [202] 1342  
 203] Elementary Education, 2R. 821, 864; Comm. *cl.* 3, 1167; *cl.* 4, 1161, 1162; *cl.* 7, 1163, 1165, 1166, 1169, 1171, 1172, 1173, 1174, 1175; *cl.* 8, 1176, 1177; *cl.* 14, 1178, 1181, 1182; *cl.* 18, 1183; *cl.* 19, 1184; *cl.* 22, *ib.*; *cl.* 23, 1185; *cl.* 25, *ib.*; *cl.* 27, *ib.*; *cl.* 36, 1186; *cl.* 73, 1190; *cl.* 94, 1191; Schedule II, 1192; Preamble, 1193; Report, Amendt. 1265; *cl.* 7, 1266; *cl.* 71, 1267  
 Irish Land, Comm. *cl.* 3, [202] 884; *cl.* 4, 965; *add. cl.* 1063; Report, *cl.* 3, 1438  
 Medical Act Amendment, 1R. [200] 1493; 2R. [201] 253, 263; Comm. *cl.* 2, Amendt. [202] 1198; *cl.* 13, Amendt. *ib.*; *cl.* 17, 1199; *cl.* 18, 1200; Report, 1348, 1351; 3R. 1457  
 Metropolis—Kensington Gardens, [201] 626  
 Owens College Extension, 2R. [199] 1117, 1471; 3R. [200] 1147  
 South Kensington Museum, [201] 625  
 University Tests, 2R. [203] 196, 210, 228

DELAHUNTY, Mr. J., *Waterford City*  
 County Coroners (Ireland), 2R. [201] 558  
 France—Commercial Treaty, Motion for a Committee, [201] 174  
 Irish Land, Comm. *cl.* 3, [200] 1340

DE LA WARR, Earl  
 Army Enlistment, 2R. [203] 939; Comm. *add. cl.* 1264  
 India—Indian Reliefs, [199] 499  
 War Office, Comm. [201] 454

DE MAULEY, Lord  
 Bridgwater and Beverley Disfranchisement, 2R. [201] 1491

DENISON, Right Hon. J. E. (*see* SPEAKER, The)

DENISON, Mr. C. BECKETT-, *Yorkshire, W. R., E. Div.*  
 East India Company, Motion for an Address, [202] 1164  
 East India (Opium Revenue), Res. [201] 498  
 East India Revenue Accounts, Comm. [203] 1649  
 India—Income Tax, [201] 809  
 Railway Companies, Motion for a Committee, [200] 1908, 1914

DENMAN, Lord  
 Appellate Jurisdiction, 2R. [200] 199; Comm. [201] 1929  
 Belgium—Neutrality of, [203] 1764  
 Courts of Justice, New, [203] 1730  
 Ecclesiastical Titles Act Repeal, Commons Amendts. [203] 1684  
 High Court of Justice, 2R. [200] 192; 3R. Amendt. [202] 317  
 Ireland—Kildare Chapel, Motion for a Paper, [200] 1166  
 Irish Land, Comm. *cl.* 5, [202] 938; *cl.* 40, 1073  
 Judicial Committee, Comm. [203] 625  
 Judicial Committee of the Privy Council, Motion for an Address, [202] 1298  
 Peace Preservation (Ireland), Comm. *cl.* 25, [200] 977

DENMAN, Hon. G., *Tiverton*  
 Bridgwater Bribery Commission, [199] 332  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 1597  
 Edmunds, Mr. L., Motion for a Paper, [203] 519, 522, 527  
 Evidence Further Amendment Act Amendment, Comm. *cl.* 1, Amendt. [200] 1417, 1419  
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DICKINSON, Mr. S. S., *Stroud*  
 Army—Military Firearms, [200] 828  
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 Education of the Blind, &c. 2R. [201] 249  
 Elementary Education, Comm. *cl.* 6, Amendt. [202] 1027; *cl.* 7, Amendt. 1046; *cl.* 65, [203] 63; Consid. *add. cl.* 486  
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DICKSON, Major A. G., *Dover*  
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 [200] 1574  
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DIGBY, Mr. K. T., *Queen's Co.*  
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DILKE, Sir C. W., *Chelsea, &c.*  
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 199] Elementary Education, 2R. 1953  
 200] 2R. 289  
 202] Comm. 299, 510 ; *cl.* 5, Amendt. 1023, 1024 ;  
 . *cl.* 8, 1115 ; *cl.* 10, 1229 ; *cl.* 17, Amendt.  
 . 1314, 1317 ; *cl.* 27, 1329 ; Amendt. 1393,  
 . 1413, 1414  
 203] *cl.* 65, 52 ; *add. cl.* 95 ; Schedule II, 276 ;  
 . *Consid.* Schedule II, Motion for reporting  
 . Progress, 507, 508, 652  
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 Jamaica—Gordon, The Late G. W., [200] 1169  
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 1735  
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 [199] 1954, 1957  
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 India—Mason, Mr., Case of, Res. [203] 799  
 Pilotage, Comm. [202] 597  
 Poaching Prevention Act Repeal, 2R. [202]  
 1560  
 Railway Travelling, 2R. Amendt. [199] 1114  
 Stamps upon Leases, [199] 840  
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 [200] 1583, 1584  
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 Pollution of Rivers, [199] 800

*Diplomatic and Consular Expenditure*  
 Question, Mr. Rylands ; Answer, Mr. Otway  
*Feb* 22, [199] 691  
 Parl. Papers—  
 Return  
 Return 1840 to 1868 . . . . . [50]  
 . . . . . [65]

*Diplomatic and Consular Services*  
 Moved, That a Select Committee be appointed,  
 "to inquire into the Constitution of the  
 Diplomatic and Consular Services, and their  
 maintenance on the efficient footing required  
 by the political and commercial interests of  
 the Country" (*Mr. Otway Feb* 14, [199]  
 316 ; after short debate, Motion agreed to  
 And, on *Feb* 24, Committee nominated as  
 follows:—Mr. Bouverie (Chairman), Mr.  
 Baring, Viscount Barrington, Sir Henry  
 Lytton Bulwer, Mr. Butler-Johnstone, Mr.  
 Cameron, Mr. William Cartwright, Sir  
 Charles Wentworth Dilke, Mr. Eastwick,  
 Mr. W. H. Gladstone, Mr. Holms, Mr.  
 Kinnaird, Mr. William Lowther, Mr. Otway,  
 Mr. Arthur Russell, Mr. Rylands, Viscount  
 Sandon, Mr. Selater-Booth, Mr. Richard  
 Shaw, Mr. Frederick Stanley, and Mr.  
 Frederick Walpole  
 Parl. Papers—  
 Report of Select Committee *July* 25 332  
 Reports on, 1869-70 . . . . . [49]

Amendt. on Committee of Supply *Feb* 18, To  
 leave out from "That" and add "in the  
 opinion of this House, the expenditure upon  
 the Diplomatic and Consular Services may  
 be reduced, and it is expedient for the pro-  
 motion of efficiency and economy to transfer  
 the control of the Consular Department from  
 the Foreign Office to the Board of Trade"  
 (*Mr. Holms*), [199] 533 ; Question proposed,  
 "That the words, &c.," after debate, Amendt.  
 withdrawn  
 [See title *Competitive Examinations—*  
*Diplomatic and Civil Services*]

*Persian Legation, The*, Question, Sir Charles  
 Wingfield ; Answer, Mr. Otway *Mar* 1, [199]  
 1000

Correspondence—*P. P.* [105]

*Diplomatic Pensions—Foreign Office Agen-*  
*cies*  
 Question, Mr. Barnett ; Answer, Mr. Otway  
*May* 3, [201] 110  
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*shire*  
 Ballot, 2R. [203] 1034  
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 tion of Committee, [201] 73

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[201] 1814

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583; *cl.* 7, 1100; *cl.* 14, 1259; *cl.* 22,  
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[199] 1874

Irish Land, 2R. [199] 1806; Comm. *cl.* 2,  
[200] 1058; *cl.* 3, 1086; Amendt. 1176,  
1266, 1268, 1433, 1523; Amendt. 1994,  
1995, 2018; [201] 12, 48; *cl.* 4, Amendt.  
290, 318; Lords Amendts. [103] 119, 120,  
130, 667

Parliament—Address in Answer to the Speech,  
[199] 70

Morning Sitting, [202] 300

Public Business, [200] 996; [202] 1369

Parliament—Business of the House, Res. [203]  
878

Representation of the People Act Amendment,  
2R. [202] 176

Spain—"Tornado," Case of the, [203] 1119

Speaker, Mr., Absence of, [202] 495

Supply—Woods, Forests, &c. [203] 680

War, The, [203] 1286, 1304

## Dissolved Districts and Unions Bill

(*Mr. Goschen, Mr. Arthur Peel*)

c. Motion for Leave (*Mr. Goschen*) Feb 11, [199]  
191; Bill ordered; read 1<sup>o</sup>\* [Bill 17]

Read 2<sup>o</sup>\* Feb 15

Committee\*; Report Feb 18

Considered\* Feb 21

Read 3<sup>o</sup>\* Feb 22

l. Read 1<sup>o</sup>\* (*The Earl of Kimberley*) Feb 24

Read 2<sup>a</sup>\* Feb 28 (No. 15)

Committee\* Mar 3 (No. 27)

Report\* Mar 4

Read 3<sup>a</sup>\* Mar 7

Royal Assent Mar 25 [33 Vict. c. 2]

## Dividends and Stock (Ireland) Bill

(*Mr. Stansfeld, Mr. Chancellor of the Exchequer*)

c. Ordered; read 1<sup>o</sup>\* June 10 [Bill 158]

Read 2<sup>o</sup>\* June 16

Committee\*; Report June 20

Read 3<sup>o</sup>\* June 23

l. Read 1<sup>o</sup>\* (*The Lord Dufferin*) June 24

Read 2<sup>a</sup>\* July 7 (No. 159)

Committee\* July 11 (No. 200)

Report\* July 12

Read 3<sup>a</sup>\* July 14

Commons Amendts. (No. 221)

c. Lords Amendt. considered, and disagreed to;  
Amendt. made July 19, [203] 549

Reason for disagreeing to Lords Amendt. re-  
ported, and agreed to

l. Royal Assent August 1 [33 & 34 Vict. c. 47]

## Divine Worship in Licensed Buildings

Bill (*Sir Percy Burrell, Mr. Goldney*)

c. Ordered; read 1<sup>o</sup>\* July 27 [Bill 245]

Read 2<sup>o</sup>\* August 5

Bill withdrawn\* August 8

## Divorce and Matrimonial Causes

Bill [H.L.]

(No. 67)

Divorce and Matrimonial Causes Re-  
peal Bill [H.L.] (*The Lord Penzance*)

l. Presented; read 1<sup>a</sup>\* April 7 (No. 68)

## Divorce Court—Publication of Proceedings

Question, Captain Dawson-Damer; Answer,  
Mr. Bruce Mar 1, [199] 994

## DIXON, Mr. G., Birmingham

199] Elementary Education, Leave, 475; 2R.  
Amendt. 1919

200] 2R. 303

202] Comm. 293; Motion for Adjournment, 678,

. 788, 808; *cl.* 5, 1008, 1016; *cl.* 7, 1030,

. 1041; Amendt. 1044, 1046, 1047, 1050;

. *cl.* 10, Amendt. 1230; *cl.* 14, 1252; *cl.* 17,

. Amendt. 1308; *cl.* 19, 1318; *cl.* 26, 1327;

. *cl.* 27, Motion for reporting Progress, 1329,

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. *cl.* 46, 1658; *cl.* 62, 1718

203] *cl.* 65, 52, 57, 61; Amendt. 62; *cl.* 66, 60;

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. dule II, 281; Consid. 490; *cl.* 27, Amendt.

. 496, 499; 3R. 737

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## DODDS, Mr. J., Stockton

Conventual and Monastic Institutions, Motion  
for a Committee, Motion for Adjournment,  
[200] 1595, 1596

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Stamp Duty on Leases, Leave, [199] 1235

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DODSON, Mr. J. G. (Chairman of the Com-  
mittee of Ways and Means and  
Deputy Speaker), Sussex, E.

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Edmunds, Mr. L., Motion for a Paper, [203] 534

Elementary Education, Comm. *cl.* 27, [202]

1414; Schedule II, [203] 273, 294, 295, 298,  
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Irish Land, Comm. *cl.* 1, [200] 785; *cl.* 2, 1057;

. *cl.* 3, 1294, 1434, 1435, 1525, 1995

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[200] 695

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Tramways, Lords Amendts. [203] 1490, 1491

DOWNING, Mr. M'Carthy, *Cork Co.*

Conventual and Monastic Institutions, Motion for a Committee, [200] 2031

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199] Irish Land, 2R. 1802

200] Comm. *cl.* 1, 771, 1012, 1013; *cl.* 3, Amendt. 1058, 1077, 1324, 1453, 1524, 1891, 1992, 2001

201] 11, 40, 41, 45; Amendt. 47; *cl.* 4, 305; *cl.* 5, 379, 380; *cl.* 8, 399, 409, 410; *cl.* 11, 411, 414; *cl.* 17, 577, 579, 580; *cl.* 19, 588; *cl.* 41, 759; *cl.* 68, 772; *add. cl.* 775, 777, 782, 1033, 1257, 1259, 1261; Consid. 1417; *add. cl.* 1419, 1430, 1435, 1440; 3R. 1622

202] Lords Amendts. 123, 126, 137, 683, 664

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200] Peace Preservation (Ireland), Leave, 122;

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*cl.* 26, 602; *cl.* 27, 635; Amendt. 676; *cl.* 37,

693; *cl.* 38, Amendt. 694, 695, 696, 697;

Consid. 701; *cl.* 33, 707

Processions (Ireland), 2R. [202] 1685

Spirit Licences, [199] 884

Stamps upon Leases, [199] 834

DOWSE, Mr. R. (Solicitor General for Ireland), *Londonderry Co.*

County Coroners (Ireland), 2R. [201] 557

Dublin City Voters Disfranchisement, 2R. [202] 1427

Ecclesiastical Titles Act Repeal, 2R. [203] 1550

Glebe Loans (Ireland), 2R. [203] 975

Ireland—Bankruptcy Law, [199] 1364

Derry Celebrations, The, [203] 1275

Sale of Poison, [200] 984

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Ireland—Militia, Motion for a Return, [203] 1736

199] Irish Land, 2R. 1553, 1689, 1695, 1696

200] Comm. *cl.* 1, 760, 772, 778, 1002, 1012, 1021,

1023; *cl.* 2, 1035, 1043; *cl.* 3, 1059, 1061;

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201] 27, 31, 42, 284, 286; *cl.* 4, 297, 317, 359;

*cl.* 5, 365; *cl.* 6, 396; *cl.* 7, 398; *cl.* 8, 399,

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596; *cl.* 23, 598; *cl.* 30, 604; *cl.* 41, 760;

*add. cl.* 774, 775, 778, 779, 782, 1013, 1256,

1258, 1259; Consid. *add. cl.* Amendt. 1418,

1421, 1434, 1435, 1439, 1440

202] Lords Amendts. 132, 664

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Party Processions (Ireland), 2R. [200] 947

200] Peace Preservation (Ireland), Leave, 123;

2R. 354, 364, 365, 489; Comm. 578; *cl.* 7,

580; *cl.* 8, 581; *cl.* 11, Amendt. 583; *cl.* 13,

584, 585, 586, 592, 593, 594; Amendt. 595,

596; *cl.* 20, 597; *cl.* 22, 598, 599; *cl.* 25,

*ib.*; *cl.* 26, 600; *cl.* 27, Amendt. 603, 645,

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Amendt. *ib.*; *cl.* 32, Amendt. 685; *cl.* 34,

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200] 686; *cl.* 37, 691; *cl.* 38, 696; *add. cl.* 698,

699; Schedule A, Amendt. *ib.*; Consid.

*add. cl.* 700, 701, 702; *cl.* 2, 704; *cl.* 33,

707, 708, 710, 711; *cl.* 39, *ib.*, 713

Processions (Ireland), 2R. [202] 1689

Sligo and Cashel Disfranchisement, 2R. [202] 309

## Drainage and Improvement of Lands (Ireland) Supplemental Bill

(Mr. William Henry Gladstone, Mr. Stansfeld)

c. Ordered; read 1<sup>o</sup> \* Mar 21 [Bill 83]

Read 2<sup>o</sup> \* Mar 24

Committee \*; Report Mar 28

Read 3<sup>o</sup> \* Mar 29

l. Read 1<sup>a</sup> \* (The Lord Dufferin) Mar 31

Read 2<sup>a</sup> \* June 20 (No. 57)

Committee \*; Report June 21

Read 3<sup>a</sup> \* June 23

Royal Assent July 4 [33 & 34 Vict. c. 81]

## Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) Bill

(Mr. William Henry Gladstone, Mr. Stansfeld)

c. Ordered; read 1<sup>o</sup> \* July 8 [Bill 205]

Read 2<sup>o</sup> \* July 11

Committee \*; Report July 18

Read 3<sup>o</sup> \* July 19

l. Read 1<sup>a</sup> \* (The Lord Dufferin) July 21

Read 2<sup>a</sup> \* July 29 (No. 227)

Committee \*; Report August 1

Read 3<sup>a</sup> \* August 2

Royal Assent August 9 [33 & 34 Vict. c. 157]

## Drunkards, Habitual

Amendt. on Committee of Supply Mar 4, To leave out from "That" and add "it is desirable to legislate for the proper reception, detention, and management of Habitual Drunkards" (Mr. Donald Dalrymple), [199] 1241; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

## Dublin

Dublin City Writ—New Writ Issued, Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Edward Guinness, baronet, whose Election has been determined to be void" (Mr. Noel) August 10, [203] 1772; Motion agreed to; New Writ ordered

Dublin Freeman Commission, Question, Mr. J. Lowther; Answer, Mr. Chichester Fortescue Mar 22, [200] 422

Report and Evidence—P. P. [93, 93-1]

Irwin, Mr. George, *Corrupt Practices at Election*, Question, The O'Connor Don; Answer, Mr. Stansfeld July 4, [202] 1353

Representation of, Question, Mr. Stacpoole; Answer, Mr. Chichester Fortescue June 27, [202] 998



**Dublin City Voters Disfranchisement Bill**  
(*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*)

- c. Ordered; read 1<sup>o</sup> \* *June 28* [Bill 184]  
Bill read 2<sup>o</sup>, after short debate *July 4*, [202] 1426  
Committee\*; Report *July 18*  
Read 3<sup>o</sup> \* *July 21*  
l. Read 1<sup>a</sup> \* (*The Lord Dufferin*) *July 22*  
Read 2<sup>a</sup> \* *July 29* (No. 237)  
Committee\*; Report *August 2*  
Read 3<sup>a</sup> \* *August 4*  
Royal Assent *August 9* [33 & 34 *Vict. c. 54*]

**Dublin Collector-General of Rates Franchise Bill**  
(*Mr. Monk, Sir Patrick O'Brien, Mr. Pim, Sir John Gray*)

- c. Ordered; read 1<sup>o</sup> \* *Mar 4* [Bill 61]  
Read 2<sup>o</sup> \* *Mar 16*  
Committee\*; Report *Mar 17*  
Considered \* *Mar 18*  
Read 3<sup>o</sup> \* *Mar 21*  
l. Read 1<sup>a</sup> \* (*The Lord Abinger*) *Mar 22* (No. 44)  
Read 2<sup>a</sup> \* *April 4*  
Committee\*; Report *April 5*  
Read 3<sup>a</sup> \* *April 7*  
Royal Assent *May 12* [33 *Vict. c. 11*]

**DUFF, Mr. M. E. Grant** (Under Secretary of State for India), *Elgin, &c.*  
East India Company, [201] 1768; Motion for an Address, [202] 1159  
East India (Council of State), Res. [201] 839, 846  
East India (Laws and Regulations), 2R. [199] 556, 567  
East India (Opium Revenue), Res. [201] 504  
East India Revenue Accounts, Comm. [203] 1614, 1624, 1661, 1677  
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Old Bank of Bombay, [203] 635  
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India—Mason, Mr., Case of, Res. [203] 794

**DUFF, Mr. R. W., Banffshire**

Navy—Gurdon, Commander, Case of, Res. [201] 1459  
Navy Estimates—Navy Increase, Report, [203] 1495, 1497

**DUFFERIN, Lord** (Chancellor of the Duchy of Lancaster)

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Ireland—Kildare Chapel, Motion for a Paper, [200] 1166  
Ireland—Records, Motion for Papers, [201] 271  
199] Irish Land—Explanation, 1857  
202] \*2R. 60; Comm. cl. 1, 746; cl. 3, 775, 776, 777, 863; cl. 4, 956; cl. 12, 1054, 1055; cl. 21, 1067; Report, cl. 3, 1433  
Lancashire Magistrates, Appointment of, [201] 1271  
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Matrimonial Causes, &c. (Ireland), 2R. [203] 1514, 1515  
200] Peace Preservation (Ireland), 2R. 788; Comm. 973; cl. 11, Amendt. 974, 975; cl. 15, *ib.*; add. cl. 976, 977; cl. 29, Amendt. 980; cl. 38, 981; Address for Papers, 1501  
Sligo and Cachel Disfranchisement, 2R. [202] 1599, 1601

**Dulwich College**

Question, Colonel Beresford; Answer, The Attorney General *June 23*, [202] 783

**DUNSANY, Lord**

Cattle Disease (Ireland), 3R. [203] 237  
Ireland—Kildare Chapel, Motion for a Paper, [200] 1165  
202] Irish Land, 2R. 329; Comm. cl. 3, Amendt. 757; cl. 2, Amendt. 958, 960, 961, 963; cl. 5, Amendt. 967; cl. 12, Amendt. 1054, 1055; add. cl. 1057, 1058; cl. 41, 1083; add. cl. 1085; Report, cl. 3, 1433; cl. 5, 1451; cl. 68, 1455; 3R. cl. 5, Amendt. 1707  
Landed Estates Court (Ireland), [201] 265  
Peace Preservation (Ireland), Comm. cl. 15, Amendt. [200] 975; cl. 23, Amendt. 976, 977; cl. 25, *ib.*  
Settled Estates, 2R. [203] 613  
Sligo and Cachel Disfranchisement, 2R. [202] 1597

**DYNEVOR, Lord**

Benefices Resignation, 3R. [203] 114  
Prayer Book (Lectionary), 2R. [202] 1610

**DYOTT, Colonel R., Lichfield**

Elementary Education, Comm. cl. 40, [202] 1488; add. cl. [203] 263, 265  
Vagrants, Police Regulation of, Res. [201] 669

*Ealing Local Board of Health*

Question, Mr. W. M. Torrens ; Answer, Mr. Bruce Mar 10, [199] 1625

*East India Company—The Late Indian Military Services*

Moved, "That an humble Address be presented to Her Majesty, praying that as the orders Her Majesty was graciously pleased to give for the redress of the grievances of the Officers of Her Majesty's late Indian Military Services, consequent upon an Address of the House of Commons, dated the 2nd day of May, 1865, have not been carried out, in the sense of the Address, owing to deductions being made from the *bonâ fide* claim of officers on the ground of accelerated promotion and on the ground of increased retired pensions, Her Majesty may be graciously pleased to direct a further consideration of the subject, with a view to the redress of the still unsatisfied claims" (*Colonel Sykes*) June 28, [202] 1147 ; after debate, Question put ; A. 113, N. 92 ; M. 21 ; Personal Explanation, Sir Stafford Northcote June 30, 1202  
[See title *India*]

*East India Contracts Bill*

(*Mr. Grant Duff, Mr. Stansfeld*)

- c. Ordered ; read 1<sup>o</sup> \* June 29 [Bill 186]  
Read 2<sup>o</sup> \* July 1  
Committee\* ; Report July 4  
Read 3<sup>o</sup> \* July 5  
l. Read 1<sup>a</sup> \* (*The Duke of Argyll*) July 7  
Read 2<sup>a</sup> \* August 2 (No. 189)  
Committee\* ; Report August 4  
Read 3<sup>a</sup> \* August 5  
Royal Assent August 9 [33 & 34 Vict. c. 59]

*East India (Council of State)*

Moved, "That, in the opinion of this House, it is desirable that the Council of State for India should embrace amongst its members persons practically conversant with the trade and commerce of India" (*Mr. Graves*) May 17, [201] 825 ; after debate, Motion withdrawn

*East India (Laws and Regulations) Bill*

(*Mr. Grant Duff, Mr. Adam*)

- c. Ordered ; read 1<sup>o</sup> \* Feb 14 [Bill 27]  
Bill read 2<sup>o</sup>, after short debate Feb 18, [199] 556  
Committee\* ; Report Feb 28  
Considered \* Mar 2  
Read 3<sup>o</sup> \* Mar 3  
l. Read 1<sup>a</sup> \* (*The Duke of Argyll*) Mar 4 (No. 29)  
Read 2<sup>a</sup> \* Mar 14  
Committee ; Report Mar 17, [200] 65  
Read 3<sup>a</sup> \* Mar 18  
Royal Assent Mar 25 [33 Vict. c. 3]

*East India (Opium Revenue)*

Moved, "That this House condemns the system by which a large portion of the Indian Revenue is raised from Opium" (*Sir Wilfrid Lawson*) May 10, [201] 480

*East India (Opium Revenue)—cont.*

Moved, "The Previous Question" (*Mr. Grant Duff*) ; after long debate, Previous Question put, "That that Question be now put ;" A. 46, N. 150 ; M. 104  
Difference between actual and estimated Amounts . . . . . P. P. 124

*East India Revenue Accounts*

Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" August 5, [203] 1599

Amendt. To leave out from "That" and add "this House regrets that the Indian Budget is introduced at so late a period of the Session, and is of opinion, considering the present position of Indian Finance, that it would be expedient to appoint a Select Committee early next Session to inquire into the administration of the finances of India" (*Mr. Fawcett*) ; Question proposed, "That the words, &c. ;" after short debate, Amendt. withdrawn ; main Question, "That Mr. Speaker, &c." put, and agreed to ; Considered in Committee, 1614 ; after long debate, Committee—R.P.

House again in Committee, 1624

Moved, "That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1869 was £49,262,691 ; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,249,766 ; the charges in India, including Interest on Debt, and Public Works ordinary, were £33,406,826 ; the value of Stores supplied from England was £1,482,840 ; the charges in England were £6,246,819 ; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,700,470, making a total charge for the same year of £52,036,721 ; and there was an excess of Expenditure over Income in that year amounting to £2,774,030 ; that the charge for Public Works extraordinary was £1,370,613, and that including that charge the excess of Expenditure over Income was £4,144,643" (*Mr. Grant Duff*) ; after long time spent therein, Resolution agreed to

*EASTWICK, Mr. E. B., Penryn, &c.*

Army—Kirwee Prize Money, Motion for an Address, [201] 1537  
Army Enlistment, Comm. cl. 4, [203] 460  
Capital Sentences (Court of Appeal), 2R. [202] 730  
Colonies, Motion for a Committee, [200] 1836  
Diplomatic and Consular Services, Motion for a Committee, [199] 320 ; Res. 540  
East India (Council of State), Res. [201] 833  
East India Revenue Accounts, Comm. [203] 1635, 1646  
Emigration, Res. [199] 1010  
Falmouth—Fortification of, [203] 1768  
Gambia—Settlement of, Address for Papers, [203] 364  
Greece—Murder of British Subjects, [202] 264  
India—British Regiments in, [201] 1942

[cont.]



**EASTWICK, Mr. E. B.—cont.**

Judicial Committee, Comm. cl. 2, [203] 1721  
 Metropolis—Trees in the Parks, [199] 1622  
 Naturalization, Comm. cl. 7, Amendt. [200] 1739  
 Navy—Promotion, [200] 67  
 Parliament—Address in Answer to the Speech, [199] 108  
 Persia—Postal Communication, [199] 431  
 Spain—Case of the “Tornado,” [200] 2129  
 Venezuela—Prussian and American Claims, [203] 636  
 Women’s Disabilities, Comm. Motion for Adjournment, [201] 616

**EBURY Lord**

Prayer Book (Lectionary), 2R. [202] 1611

**Ecclesiastical and Diocesan Records**

Motion for an Address for “Return from each diocese, stating the places in which the records of all ecclesiastical and diocesan matters are preserved, &c.” (*The Lord Romilly*) Mar 28, [200] 717; Motion agreed to

**Ecclesiastical Bills, The**

Question, Sir George Grey; Answer, Mr. Bruce July 25, [203] 878

**Ecclesiastical Business, Fees, &c.**

Motion for an Address for “Returns from every Archbishop and Bishop holding a see in England, and from every ecclesiastical registry in England and Wales, of the officers engaged, the amount and nature of the business transacted, and the amount of fees received in their respective offices; likewise of the fee charged for marriage licences, and the number of licences issued in 1867, 1868, and 1869” (*The Earl of Shaftesbury*) Mar 28, [200] 716; after short debate, Motion agreed to      Return—P. P. 185

**Ecclesiastical Commissioners’ Grants**

Question, Mr. M. T. Bass; Answer, Mr. Acland April 11, [200] 1604

**Ecclesiastical Commissioners, Rules of the**

Question, Mr. M. T. Bass; Answer, Mr. Acland June 30, [202] 1203  
 22nd Report—P. P. [52, 52-I]

**Ecclesiastical Courts Bill [H.L.]**

(*The Earl of Shaftesbury*)

- l. Presented; read 1<sup>a</sup> \* Mar 3 (No. 26)  
 Order for 2R. read Mar 17, [200] 62; after short debate, 2R. put off  
 Order for 2R. read July 12, [203] 98; after short debate, 2R. put off  
 Bill read 2<sup>a</sup>, after short debate July 21, 614

**Ecclesiastical Dilapidations Bill [H.L.]**

(*The Lord Archbishop of York*)

- l. Presented; read 1<sup>a</sup> \* May 12 (No. 94)  
 Bill withdrawn \* May 27

**Ecclesiastical Dilapidations (No. 2) Bill**

[H.L.] (*The Lord Archbishop of York*)

- l. Presented; read 1<sup>a</sup> \* May 27 (No. 114)  
 Read 2<sup>a</sup> \* June 17  
 Committee \* June 23  
 Committee \* June 30 (No. 174)  
 Report \* July 4  
 Read 3<sup>a</sup> \* July 7  
 c. Read 1<sup>o</sup> \* July 18 [Bill 224]  
 Read 2<sup>o</sup> \* July 19  
 Bill withdrawn \* July 25

**Ecclesiastical Law, Consolidation of the**

Question, Mr. Salt; Answer, Mr. Bruce August 4, [203] 1518

**Ecclesiastical Patronage Transfer Bill**

[H.L.] (*The Lord Lyttelton*)

- l. Presented; read 1<sup>a</sup> \* Mar 29 (No. 55)  
 Bill read 2<sup>a</sup> April 5, [200] 1277  
 Committee; Report May 12, [201] 569  
 Read 3<sup>a</sup> \* May 13  
 c. Read 1<sup>o</sup> \* June 13 [Bill 160]  
 Read 2<sup>o</sup> \* July 11  
 Committee \*; Report July 18  
 Read 3<sup>a</sup> \* July 19  
 Royal Assent August 1 [33 & 34 Vict. c. 39]

**Ecclesiastical Titles Act**

Question, Mr. Stacpoole; Answer, Mr. Gladstone Feb 11, [199] 170; April 28, [200] 1964

**Ecclesiastical Titles Act Repeal Bill [H.L.]**

(*The Earl of Kimberley*)

- l. Presented; read 1<sup>a</sup> \* May 19 (No. 105)  
 Moved, “That the Bill be now read 2<sup>a</sup>” May 27, [201] 1469  
 Amendt. to leave out (“now”) and insert (“this day six months”) (*The Lord St. Leonards*); after debate, on Question? That (“now,”) &c.; resolved in the affirmative; Bill read 2<sup>a</sup>  
 Committee July 1, [202] 1300 (No. 175)  
 Report \* July 4 (No. 179)  
 Read 3<sup>a</sup> \* July 5  
 c. Read 1<sup>o</sup> \* July 20 [Bill 231]  
 Moved, “That the Bill be now read 2<sup>a</sup>” August 4, [203] 1528  
 Amendt. to leave out “now,” and add “upon this day three months” (*Mr. Newdegate*); after debate, Question put, “That ‘now,’ &c.,” A. 111, N. 34; M. 77; Main Question put, and agreed to; Bill read 2<sup>o</sup>  
 Committee; Report August 5, 1593  
 Considered \*; read 3<sup>o</sup> August 6  
 l. Order for consideration of Commons Amendts. read and discharged August 8

**Edmunds, Mr. Leonard, Case of**

Question, Observations, Sir James Elphinstone; Reply, The Chancellor of the Exchequer; short debate thereon May 19, [201] 970; Question, Sir James Elphinstone; Answer, Mr. Gladstone June 16, [202] 264  
 Warrant for Commitment . *Parl. P.* 380

[cont.]

*Edmunds, Mr. Leonard, Case of—cont.*

Moved, "That there be laid before this House, a Copy of any Warrant or Order of Court for the commitment to prison of Leonard Edmunds at the suit of the Crown" (*Mr. Russell Gurney*) July 19, [203] 509; after long debate, Motion agreed to

*Education*

Report of Committee of Council 1869-70—

*Parl. P.* [165]

Revised Code 1870 . . . . . *Parl. P.* [29]

*Education Department*, Question, Mr. Samuelson; Answer, Mr. Gladstone July 25, [203] 874

*Education (Ireland)*, Report for 1869-70—

*Parl. P.* 352

*National Schools (Ireland) — Salaries of Teachers*, Question, Sir Frederick W. Heygate; Answer, Mr. Chichester Fortescue Mar 1, [199] 994

*Parochial Schools (Scotland)—Elementary Education (Scotland)*, Question, Dr. Lyon Playfair; Answer, Mr. Gladstone Feb 28, [199] 879

*Primary Education (Ireland) Commission*, Question, Mr. Winterbotham; Answer, Mr. Chichester Fortescue Feb 17, [199] 430  
Reports . . . . . *Parl. P.* [6, 6 I-VII.]

*Schools for Poorer Classes, Birmingham, &c.*, Report . . . . . *Parl. P.* 91

*Science Examinations in May*, Question, Mr. Dixon; Answer, Mr. W. E. Forster August 4, [203] 1519

*Universal Art Catalogue*, Question, Mr. Dillwyn; Answer, Mr. W. E. Forster June 21, [202] 624

[See title *Elementary Education Bill*]

*Education Bill (The Lord Campbell)*

1. Presented; read 1<sup>a</sup>, after short debate May 16 [201] 730 (No. 100)

*Education of the Blind, &c. Bill*

(*Mr. Wheelhouse, Mr. Ward Jackson, Mr. Mellor*)

c. Ordered; read 1<sup>o</sup> Feb 28 [Bill 47]

Moved, "That the Bill be now read 2<sup>o</sup>" May 4, [201] 246

Amend. to leave out "now," and add "upon this day six months" (*Mr. Assheton*); Question proposed, "That 'now,' &c.;" after short debate, Debate adjourned

Debate resumed July 13, [203] 192

Question put, and negatived; words added; main Question, as amended, put, and agreed to; Bill put off for six months

*EDWARDES, Hon. Colonel W., Haverfordwest*

Mathieu, Daniel, Case of, [202] 260

*EDWARDS, Mr. H., Weymouth*

Infectious Disease on Board Vessels, [203] 876  
Metropolis—Subway at Westminster Bridge, [203] 39

*EGERTON, Hon. Captain F., Derbyshire,*

*E.*

Navy—"Hercules," Guns of the, [199] 172  
Parliament—Address in Answer to the Speech, [199] 58  
Ships "Bombay" and "Oneida," Res. [202] 1545

*EGERTON, Hon. A. F., Lancashire, S.E.*

Elementary Education, Comm. cl. 5, [202] 1021; cl. 54, 1673; cl. 82, [203] 92  
Ireland—Trinity College, Dublin, Res. [200] 1143

*EGERTON, Hon. Wilbraham, Cheshire, Mid.*

Metropolis—Serpentine, Cleansing of the, [199] 1144; [202] 1616  
Poaching Prevention Act Repeal, 2R. [202] 1565  
Tax Collectors, Compensation to, [201] 576

*Egypt*

*Egyptian Loan—The Khedive*, Question, Viscount Barrington; Answer, Mr. Otway May 2, [201] 6

Correspondence . . . . . *Parl. P.* [100]

*Report of International Commission on Consular Jurisdiction*, Question, Viscount Sandon; Answer, Mr. Otway Feb 24, [199] 771

Report . . . . . *Parl. P.* 186

*Silk Supply Association*, Question, Mr. Chadwick; Answer, Mr. Grant Duff July 11, [203] 31

*ELCHO, Lord, Haddingtonshire*

Army—Breech-Loaders for the Volunteers, [200] 2061

Army Enlistment, 2R. [201] 785

Conventual and Monastic Institutions, Motion for a Committee, [200] 1594, 1598

Inland Revenue Officers, [201] 575

Ireland—Ejectments, [199] 242

Irish Land, 2R. [199] 1760; Comm. cl. 3, [200] 1063, 1510, 1514, 1526; [201] 47, 50, 287, 289; cl. 4, 292, 298, 307, 321, 322; cl. 8, 407; cl. 19, 588, 590; cl. 41, 767

Metropolis—Thames Embankment, [199] 243; Motion for an Address, [202] 1784

Mines, Regulation, &c. 2R. [199] 614

Palace of Westminster—Case of Mr. Edward Barry, Res. [201] 719

Parliament—Progress of Public Business, [200] 1711

Peace Preservation (Ireland), Comm. cl. 27, [200] 652

War Office, Leave, [199] 401; 2R. 785; 3R. [200] 1744, 1756

Ways and Means, Report, Res. 7, [200] 1723

*Elementary Education Bill—Miscellaneous Questions*

- 199 Question, Mr. Staveley Hill; Answer, Mr. W. E. Forster Feb 25, 805; Question, Mr. Lea;
- Answer, Mr. W. E. Forster Feb 28, 884;
- Question, Mr. Campbell; Answer, Mr. W. E. Forster Mar 4, 1237; Question, Lord Robert Montagu; Answer, Mr. W. E. Forster Mar 10, 1630; Question, Mr. Baines; Answer, Mr. W. E. Forster Mar 14, 1873



**Elementary Education Bill—cont.**

*Building Grants*, Question, Mr. C. Dalrymple; Answer, Mr. W. E. Forster *Feb 24*, [199] 770

*Certificated Schoolmasters*, Question, Mr. Assheton Cross; Answer, Mr. W. E. Forster *Feb 22*, [199] 690

*Channel Islands, Education in the*, Question, Mr. Haviland-Burke; Answer, Mr. W. E. Forster *July 7*, [202] 1623

*District Educational Rates*, Question, Mr. Kennaway; Answer, Mr. W. E. Forster *June 27*, [202] 998

*Educational Boards, Women on*, Question, Mr. P. A. Taylor; Answer, Mr. W. E. Forster *June 16*, [202] 259

*Educational Purposes, Taxes for*, Question, Mr. Pell; Answer, Mr. Gladstone *Mar 21*, [200] 318

*Educational Statistics—Mr. Fitch's Report*, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster *Mar 14*, [199] 1866

*Inspection of Schools*, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster *Feb 25*, [199] 801

*National Education—Staff of Teachers*, Question, Mr. Liddell; Answer, Mr. W. E. Forster *May 3*, [201] 107

*Parochial Schoolmasters*, Question, Sir Percy Burrell; Answer, Mr. W. E. Forster *Feb 24*, [199] 765

*Religious Instruction*, Question, Sir George Grey; Answer, Mr. W. E. Forster *May 27*, [201] 1495—*Time-Table Conscience Clause*, Question, Mr. Winterbotham; Answer, Mr. W. E. Forster *May 31*, 1702; Question, Lord Robert Montagu; Answer, Mr. Gladstone *June 13*, 1946

*Revised Code, The—Clause 51*, Question, Colonel Brise; Answer, Mr. W. E. Forster *June 30*, [202] 1210

*Schools in Scotland*, Question, Sir Edward Colebrooke; Answer, Mr. W. E. Forster *July 25*, [203] 875

**Elementary Education Bill**

(Mr. W. E. Forster, Mr. Secretary Bruce)

199] *c. Motion for Leave (Mr. W. E. Forster)* *Feb 17*, 438; Bill ordered, after long debate; read 1<sup>st</sup>\* [Bill 33]

. Moved, "That the Bill be now read 2<sup>o</sup>" *Mar 14*, 1919

Amendt. to leave out from "That" and add "this House is of opinion that no measure for the elementary education of the people will afford a satisfactory or permanent settlement which leaves the question of religious instruction in schools supported by public funds and rates to be determined by local authorities" (Mr. Dixon); Question proposed, "That the words, &c.;" after long debate, Debate adjourned

. Debate resumed *Mar 15*, 1963; after long debate, Debate further adjourned

200] Debate resumed *Mar 18*, 213; after debate, Question put, and agreed to; main Question put, and agreed to; Bill read 2<sup>o</sup>

[cont.]

**Elementary Education Bill—cont.**

202] Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (Mr. Gladstone) *June 16*, 266; after long debate, main Question, "That Mr. Speaker, &c.," put, and agreed to; Bill committed *pro forma*, and reported [Bill 167]

. Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *June 20*, 495

Amendt. to leave out from "That" and add "the Grants to existing denominational schools should not be increased; and that, in any national system of elementary education, the attendance should be everywhere compulsory, and the religious instruction should be supplied by voluntary effort and not out of Public Funds" (Mr. Henry Richard); Question proposed, "That the words, &c.;" after long debate, Debate adjourned

. Debate resumed *June 21*, 626; after long debate, Debate further adjourned

. Debate resumed *June 23*, 788; after long debate, Debate further adjourned

. Debate resumed *June 24*, 895; after long debate, Question put; A. 421, N. 60; M. 361 Division List, Noes, 949

. Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee R.P.

. Committee *June 27*, 1006

Clauses 1 and 2 agreed to  
Clause 3 (Definitions), 1006  
Clause 4 agreed to

. Clause 5 (School district to have sufficient public schools), 1008

. Clause 6 (Supply of schools in case of deficiency), 1025

. Clause 7 (Regulations for conduct of public elementary schools), 1027

Committee R.P.

. Committee *June 28*, 1090

Clause 7 (Regulations for conduct of public elementary schools), 1090

. Clause 8 (Determination by Education Department of deficiency of public school accommodation), 1113

. Clause 9 (Notice by Education Department of public school accommodation required), 1120

Committee R.P.

. Committee *June 30*, 1214

. Clause 9 (Notice by Education Department of public school accommodation required), 1214

. Clause 10 (Formation of school Board and requisition to provide schools), 1223

. Clause 11 (Provision of schools by school Board), 1235

Clauses 12 and 13 amended, and agreed to

. Clause 14 (Management of school by school Board), 1236

Committee R.P.

. Committee *July 1*, 1307

Clauses 15 and 16 agreed to

. Clause 17 (Fees of Children), 1307

[cont.]

*Elementary Education Bill—cont.*

202] Clause 18 (Maintenance by school Board of schools and sufficient school accommodation), 1317

• Clause 19 (Powers of school Board for providing schools), 1317

• Clause 20. Clause A. (Compulsory purchase of sites. Regulations as to the purchase of land compulsorily. Publication of Notices. Service of Notices. Petition to Education Department. No order valid until confirmed by Parliament. Costs how to be defrayed), 1320

Clause 21 agreed to

• Clause 22 (Managers may transfer school to school Board), 1321; Clause postponed

Clauses 23 to 25, inclusive, agreed to

• Clause 26 (Establishment of industrial schools), 1324

• Clause 27 (School Board), 1329

Committee R.P.

• Committee *July 4*, 1398

• Clause 27 (School Boards), 1398

Clause 28 agreed to

Committee R.P.

• Committee *July 5*, 1476

• Clause 29 (Election of school Board), 1476

Clause 30 agreed to

• Clause 31 (Disqualification of member of Board), 1480

• Clause 32 (Appointment of officers), 1481

• Clause 33 (Formation by Education Department of united districts), 1482

Clauses 34 to 39, inclusive, agreed to

• Clause 40 (Small parish), 1488

Clauses 41 to 44 agreed to

Clause 45 (School fund of School Board)

Committee R.P.

• Committee *July 7*, 1625

• Clause 45 (School fund of school Board), 1625

• Clause 46 (Deficiency of school fund raised out of rates), 1654

• Clause 47 (Apportionment of school fund in united and contributory district), 1670

Clause 48 agreed to

• Clause 49 (Expense of providing school may be spread over thirty years), 1671

• Clause 50 (Accounts to be made up and examined), 1671

• Clause 51 (Audit in a borough), 1671

• Clause 52 (Audit in a district not a borough), 1672

Clause 53 agreed to

• Clause 54 (Publication of accounts), 1672

• Clause 55 (Proceedings on default by school Board), 1673

Clauses 56 and 57 agreed to

Committee R.P.

• Committee *July 8*, 1713

Clauses 58 to 60, inclusive, agreed to

• Clause 61 (Proceedings on default of authority to make Returns), 1713

• Clause 62 (Inquiry by Inspectors of Education Department), 1713

Clause 63 agreed to

• Clause 64 (Public inquiry), 1715

• Clause 65 (Attendance of child at school), 1716

Committee R.P.

[cont.]

*Elementary Education Bill—cont.*

203] Committee *July 11*, 41

• Clause 65 (Attendance of child at school), 41

• Clause 66 (Application of small endowments), 64

Clauses 67 to 80, inclusive, agreed to

• Clause 81 (Parliamentary Grant to public school only), 66

• Clause 82 (Conditions of annual Parliamentary Grant), 74

• Postponed Clause 22 (Managers may transfer school to school Board), 93

• New Clause (Determination of disputes as to the election of school Boards), 95

• New Clause (School Board in the metropolis), 95

Committee R.P.

• Committee *July 14*, 256

• New Clause (Payment of Chairman), 256

• New Clause (Dissolution of school Boards), 257

• New Clause (Inquiry into complaint of religious teaching), 258

• New Clause (Payment for children in receipt of parochial allowance), 259

• New Clause (Enforcement by school Boards of the Industrial Schools Act), 260

• New Clause (Union of parishes), 263

• New Clause (Dissolution of school Boards), 265

• New Clause (Provision for certain districts under Improvement Commissioners), 266

• New Clause (Schools on board training ships), 269

• First Schedule, 269

• New Second Schedule, 271

Division List, Ayes and Noes, 300, 306

Division List, Ayes, 308

Bill reported

[Bill 218]

• Bill, as amended, considered *July 19*, 486

• New Clause (Alteration of regulation affecting managers, &c.), 487

• New Clause (Exemption from rating), 487

After some debate, Debate adjourned

• Debate resumed *July 21*, 652

New Clause (Exemption from rating)

• Bill read 3<sup>o</sup>, after long debate *July 22*, 736

l. Read 1<sup>a</sup>\* (*The Lord President*) *July 22*

• Read 2<sup>a</sup>, after long debate *July 25*, 821

(No. 235)

• Committee *July 29*, 1156

[Preliminary]

Clauses 1 and 2 agreed to

• Clause 3 (Definitions), 1156

[Part 1. *Local Provision for Schools*]

• Clause 4 (School districts, &c., in schedule), 1160

[Supply of Schools]

Clauses 5 and 6 agreed to

• Clause 7 (Regulations for conduct of public elementary school), 1162

[Proceedings for Supply of Schools]

• Clause 8 (Determination by Education Department of deficiency of public school accommodation), 1176

Clauses 9 to 13, inclusive, agreed to

[cont.]



*Elementary Education Bill—cont.**[Management and Maintenance of Schools by School Board]*

- 203] Clause 14 (Management of school by school Board), 1177  
 Clauses 15 and 16 agreed to  
 Clause 17 (Fees of children), 1183  
 Clause 18 (Maintenance by school Board of schools and sufficient school accommodation), 1183  
 Clause 19 (Powers of school Board for providing schools), 1183  
 Clauses 20 and 21 agreed to  
 Clause 22 (Managers may transfer school to school Board), 1184  
 Clause 23 (Alterations of regulations affecting management, &c.), 1185  
 Clause 24 agreed to  
 Clause 25 (Establishment of free school in special cases), 1185  
 Clause 26 agreed to  
 Clause 27 (Establishment of industrial school), 1185

*[Constitution of School Boards]*

Clauses 28 to 35, inclusive, agreed to

*[School Board in Metropolis]*

- Clause 36 (School Board in metropolis), 1186  
 Clauses 37 to 72, inclusive, agreed to  
 Clause 73 (Attendance of child at school), 1186  
 Clauses 74 to 93, inclusive, agreed to

*[Part II. Parliamentary Grant]*

- Clause 94 (Conditions of annual Parliamentary Grant), 1190  
 First Schedule, 1191  
 Second Schedule, 1191  
 Preamble, 1193

Report August 1, 1265 (No. 262)

Further Amendts. made

Read 3<sup>d</sup>\* August 2 (No. 270)

*c. Lords' Amendts. considered August 4, 1558*

- One disagreed to [Bill 255]  
 Moved, "That the House do agree with the Lords' Amendts. in respect of the Ballot at elections for school Boards" (*Mr. W. E. Forster*); Lords' Amendt. agreed to  
 Reason for disagreeing to Lords' Amendt. reported, and agreed to

*l. Royal Assent August 9 [33 & 34 Vict. c. 75]**Parl Papers—**COMMONS—*

- Leave . . . . . [Bill 33]  
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*ELY, Bishop of*

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*Emigration*

Moved, "That, in order to arrest the increase of Pauperism, and to relieve the distressed condition of the working classes, it is expedient that measures be adopted for facilitating the Emigration of poor families to British Colonies" (*Mr. R. Torrens*) Mar 1, [199] 1002; after long debate, Question put; A. 48, N. 153; M. 105

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*Emigration—cont.*

*Emigration to Western Australia*, Question, Sir James Lawrence; Answer, Mr. Monsell Feb 14, [199] 241; Mar 4, 1239

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*England and France, Channel Passage between*

Moved, "That, in the opinion of this House, Her Majesty's Government should invite the co-operation of the French Government for the purpose of improving the Channel Passage between the two Countries" (Sir William Gallwey) May 17, [201] 815; after short debate, Motion withdrawn

*Entail (Scotland) Bill*

(The Lord Advocate, Mr. Secretary Bruce, Mr. Adam)

c. Ordered; read 1<sup>o</sup> \* April 25 [Bill 108]  
Bill withdrawn \* July 11

*Epping Forest*

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to defend the rights of the Crown over Epping Forest, so that the Forest may be preserved as an open space for the recreation and enjoyment of the public" (Mr. Fawcett) Feb 14, [199] 246

Amendt. to leave out "be graciously pleased to defend the rights of the Crown over Epping Forest, so that the," and insert "take such measures as in Her judgment She may deem most expedient in order that Epping" (Mr. Gladstone); Question, "That the words, &c.," put, and negative; words inserted; main Question, as amended, agreed to HER MAJESTY'S ANSWER reported Feb 22, 694

Question, Sir Charles W. Dilke; Answer, Mr. Gladstone Feb 24, 769; Question, Mr. Beresford Hope; Answer, Mr. Gladstone April 25, [200] 1727; Question, Mr. Holms; Answer, Mr. Gladstone May 13, [201] 631; Question, Mr. Holms; Answer, The Chancellor of the Exchequer August 1, [203] 1272

*Epping Forest Bill*

(Mr. Gladstone, Mr. Chancellor of the Exchequer, Mr. Ayrton)

c. Ordered; read 1<sup>o</sup> \*; and referred to the Examiners of Petitions for Private Bills July 19 [Bill 227]

*ERSKINE, Vice-Admiral J. E., Stirling-shire*

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Moved, "That, in the opinion of this House, it is right that the Establishment of the Church and its Union with the State should cease to exist in the dominion and principality of Wales" (Mr. Watkin Williams) May 24, [201] 1274; after debate; A. 45, N. 209; M. 164

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*Evidence Further Amendment Act (1869) Amendment Bill*

(Mr. Denman, Mr. Locke King)

c. Ordered; read 1<sup>o</sup> \* Feb 14 [Bill 20]

Read 2<sup>o</sup> \* Feb 25

Committee; Report April 6, [200] 1417

Considered \* April 7

Read 3<sup>o</sup> \* April 8

l. Read 1<sup>o</sup> \* (The Lord Penzance) April 29

Read 2<sup>o</sup> \* July 8

(No. 75)

Committee \* July 14

Report \* July 21

Read 3<sup>o</sup> \* July 22

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 cl. 10, [203] 474

**EWING, Mr. H. E. CRUM- Paisley**  
 Life Assurance Companies, Comm. cl. 7, [202]  
 1180

**Exchequer Bonds (£1,300,000) Bill**  
 (Mr. Dodson, Mr. Chancellor of the Exchequer,  
 Mr. Stansfeld)

c. Resolutions in Committee July 13  
 Resolutions reported, and agreed to; Bill or-  
 dered; read 1<sup>o</sup> \* July 14  
 Read 2<sup>o</sup> \* July 18  
 Committee\*; Report July 19  
 Read 3<sup>o</sup> \* July 20  
 l. Read 1<sup>a</sup> \* July 21  
 Read 2<sup>a</sup> \*; Committee negatived July 25  
 Read 3<sup>a</sup> \* July 26  
 Royal Assent August 1 [33 & 34 Vict. c. 41]

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**Exhibitions, Dangerous**  
 Question, Dr. Lush; Answer, Mr. Bruce Mar 15,  
 [199] 1961

**Expiring Laws Bill**  
 (Mr. Stansfeld, Mr. Attorney General)  
 c. Ordered; read 1<sup>o</sup> \* July 29 [Bill 253]  
 Read 2<sup>o</sup> \* August 1  
 Committee\*; Report August 4  
 Considered\*; read 3<sup>o</sup> August 5  
 l. Read 1<sup>a</sup> \* (The Marquess of Lansdowne)  
 August 6 (No. 306)  
 Read 2<sup>a</sup> \*; Committee negatived August 8  
 Read 3<sup>a</sup> \* August 9  
 Royal Assent August 10 [33 & 34 Vict. c. 103]

**Extradition Bill**  
 (Mr. Attorney General, Mr. Solicitor General)  
 c. Ordered; read 1<sup>o</sup> \* May 23 [Bill 138]  
 Bill read 2<sup>o</sup>; after short debate June 16, [202]  
 300  
 Committee; Report July 4, 1425  
 Considered\* July 11  
 Read 3<sup>o</sup> \* July 12  
 l. Read 1<sup>a</sup> \* (The Lord Chancellor) July 14  
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 August 4, [203] 1524  
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 Mr. Baines; Answer, Mr. Bruce April 11,  
 [200] 1600  
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 Persons, Question, Mr. Samuelson; Answer,  
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*Founders*, Question, Mr. Akroyd; Answer,  
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 Feb 21, [199] 584  
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**Factories and Workshops Bill**  
 (Mr. Secretary Bruce, Mr. Knatchbull-Hugessen)  
 c. Ordered; read 1<sup>o</sup> \* May 30 [Bill 150]  
 Read 2<sup>o</sup> \*, and referred to a Select Committee  
 July 11  
 And, on July 12, Committee nominated as fol-  
 lows:—Mr. Ayrton (Chairman), Lord Frede-  
 rick Cavendish, Mr. Orr-Ewing, Mr. Joshua  
 Fielden, Mr. Graham, Mr. Kay-Shuttleworth,  
 Lord John Manners, Mr. Mellor, Mr. Mun-  
 della, Mr. Edmund Potter, Sir David Salo-  
 mons, Mr. Richard Shaw, Mr. Frederick  
 Stanley, and Mr. E. W. Verner; July 13,  
 Mr. Holt added  
 Report of Select Committee July 21 [No. 378]  
 Report\* July 21 [Bill 233]  
 Re-comm.; Report July 26  
 Considered\*; read 3<sup>o</sup> July 27  
 l. Read 1<sup>a</sup> \* (The Earl of Morley) July 28  
 Read 2<sup>a</sup> \* August 1 (No. 247)  
 Committee\*; Report August 4  
 Read 3<sup>a</sup> \* August 5  
 Royal Assent August 9 [33 & 34 Vict. c. 62]

*False Weights and Measures*

Amendt. on Committee of Supply May 27,  
To leave out from "That" and add "this  
House is of opinion that the present state  
of the law as regards the use of False  
Weights and Measures, and the prevention  
and punishing of adulteration of Food, Drink,  
and Drugs, is most unsatisfactory, and de-  
mands the early attention of Her Majesty's  
Government" (*Lord Eustace Cecil*), [201]  
1499; Question proposed, "That the words,  
&c.;" after debate, Amendt. withdrawn

**FAWCETT, Mr. H., Brighton**

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cl. 7, 1044; cl. 8, 1118; cl. 10, 1231; cl. 27,  
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Supply—Civil Service Estimates, Motion for  
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University Tests, Comm. cl. 3, [201] 1959;  
Proviso 1, Amendt. 1968, 1972; cl. 5, 1979;  
Preamble, 1981; Consid. [202] 1385  
War, The, [203] 1363

**Felony Bill**

(*Mr. Charles Forster, Mr. Locke King, Mr. Osborne Morgan*)

c. Ordered; read 1<sup>o</sup>\* Feb 10 [Bill 9]  
Bill read 2<sup>o</sup>, after short debate, and committed  
to a Select Committee Mar 30, [200] 931  
And, on April 4, Committee nominated as fol-  
lows:—*Mr. Charles Forster* (Chairman), *Mr.*  
*Amphlett*, *Mr. Goldney*, *Mr. Gordon*, *Mr.*  
*George Gregory*, *Mr. Jessel*, *Mr. Osborne*  
*Morgan*, *Sir Colman O'Loughlen*, *Sir Roundell*  
*Palmer*, *Mr. Leigh Pemberton*, and *Mr.*  
*West*; April 6, *Mr. Staveloy Hill* and *Mr.*  
*Solicitor General* added  
Report of Select Committee\* April 25 [No. 183]  
Report\* April 25 [Bill 103]  
Re-comm.\*; Report May 4  
Considered\* May 6  
Read 3<sup>o</sup>\* May 9

*Felony Bill—cont.*

l. Read 1<sup>a</sup>\* (*Lord Westbury*) May 10 (No. 90)  
Bill read 2<sup>a</sup>, after debate May 31, [201] 1688  
Committee\* June 21  
Report\* June 24  
Read 3<sup>a</sup>\* June 27  
Royal Assent July 4 [33 & 34 Vict. c. 23]

*Fenian Prisoners—Dr. Macdonnell*

Question, *Mr. Callan*; Answer, *Mr. Bruce*  
July 26, [203] 954

*Fennelly, Richard*

*Queen, v. Fennelly—Copy of Affidavits*, Ques-  
tion, *Mr. J. Lowther*; Answer, *Mr. Bruce*  
June 9, [201] 1769; June 24, [202] 894  
Parl. P. 252-I-II

Moved, "That an humble Address be presented  
to Her Majesty, praying that She may be  
graciously pleased to grant a free pardon to  
*Richard Fennelly*" (*Mr. McMahon*) July 19,  
[203] 545; after short debate, A. 41, N. 63;  
M. 22

[See title *Bridgwater*]

**Fendal and Burgage Tenures Abolition  
(Scotland) Bill**

(*The Lord Advocate, Mr. Secretary Bruce*)

c. Motion for Leave (*The Lord Advocate*) Feb 24,  
[199] 787; Bill ordered; read 1<sup>o</sup>\* [Bill 48]  
Read 2<sup>o</sup>\* Mar 17  
Committee\*; Report May 19 [Bill 130]  
Bill withdrawn\* July 7

**FEVERSHAM, Earl of**

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**FIELDEN, Mr. J., Yorkshire, W.R.,  
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**FINGALL, Earl of**

Irish Land, Comm. cl. 40, [202] 1076, 1077  
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**FLOYER, Mr. J., Dorsetshire**

Ballot, 2R. [200] 56  
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**FORDYCE, Mr. W. D., Aberdeenshire, E.**

Gun Licences, 3R. [203] 766  
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**Foreign Enlistment Bill**

(Mr. Attorney General, Mr. Solicitor General,  
Mr. Secretary Bruce)

c. Ordered; read 1<sup>st</sup> July 19 [Bill 228]  
203] Bill read 2<sup>nd</sup>, after short debate August 1, 1365  
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair"  
August 3, 1502; Committee; Report, after short debate, 1505  
Considered August 4, 1550 [Bill 258]  
Read 3<sup>rd</sup> August 5, 1592  
l. Read 1<sup>st</sup> (The Lord Privy Seal) August 5  
Read 2<sup>nd</sup> August 6 (No. 298)  
Committee; Report; Read 3<sup>rd</sup> August 8, 1676  
Royal Assent August 9 [33 & 34 Vict. c. 90]

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**Forgery Bill**

(Mr. Stansfeld, Mr. Chancellor of the Exchequer)

c. Ordered; read 1<sup>st</sup> July 12 [Bill 214]  
Read 2<sup>nd</sup> July 18  
Committee\*; Report July 25  
Read 3<sup>rd</sup> July 26  
l. Read 1<sup>st</sup> (The Marquess of Lansdowne)  
July 28 (No. 248)  
Read 2<sup>nd</sup> August 2  
Committee\*; Report August 4  
Read 3<sup>rd</sup> August 5  
Royal Assent August 9 [33 & 34 Vict. c. 58]

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     . 580; *cl.* 9, 582; *cl.* 10, *ib.*; *cl.* 13, 537, 591,  
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Contagious Diseases Acts Repeal, Leave, [201] 1306, 1307, 1347  
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*Commercial Treaty with France, 1860—Revision of the*, Question, Mr. Newdegate; Answer, Mr. Gladstone *Feb* 11, [199] 177; *Feb* 15, 324; Question, Mr. Birley; Answer, Mr. Otway *Mar* 29, [200] 829; Question, Mr. Vance; Answer, Mr. Otway *April* 25, 1727

Moved, "That a Select Committee be appointed to inquire into the operation of the Commercial Treaty with France in all branches of trade which it affects" (*Mr. Birley*) *May* 3, [201] 110

Amendt. to leave out from "inquire" and add "as to the effect upon our Commerce and Manufactures of our present Treaty arrangements with Foreign Countries" (*Mr. Staveley Hill*), 116; Question proposed, "That the words, &c.," after long debate, Amendt. withdrawn; main Question put; A. 50, N. 138; M. 88

*Communication with—Loss of the "Normandy,"* Questions, Sir William Gallwey, Sir John Pakington; Answers, Mr. Shaw Lefevre *Mar* 21, [200] 323

*England and France, Channel Passage between*, Moved, "That, in the opinion of this House, Her Majesty's Government should invite the co-operation of the French Government for the purpose of improving the Channel Passage between the two Countries" (*Sir William Gallwey*) *May* 17, [201] 815; after short debate, Motion withdrawn

*France and Holland*, Question, Sir Tollemache Sinclair; Answer, Mr. Otway *July* 26, [203] 952

*The Postal Treaty*, Question, Sir Charles Adderley; Answer, The Marquess of Hartington *Feb* 28, [199] 873

*France and Prussia*

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*Alleged Draft Treaty*, Question, Viscount Stratford De Redcliffe; Answer, Earl Granville *July* 25, [203] 819; Question, Lord Cairns; Answer, Earl Granville *July* 26, 924; Question, Observations, The Earl of Malmesbury; Reply, Earl Granville *July* 29, 1149; Question, Observations, Lord Cairns; Reply, Earl Granville; short debate thereon *August* 10, 1746

*British Subjects in Germany—The War*, Question, Mr. H. B. Sheridan; Answer, Mr. Otway *July* 28, [203] 1101

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*France and Prussia—cont.*

*Declaration of War by France*, Question, The Earl of Malmesbury; Answer, Earl Granville July 15, [203] 317; Questions, Earl Russell, Lord Cairns; Answers, Earl Granville July 18, 379  
*Ministerial Statement*, Observations, Earl Granville; debate thereon July 28, [203] 1051

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*Alleged Draft Treaty—The Secret Negotiations*, Observations, Mr. Disraeli; Reply, Mr. Gladstone July 25, [203] 879; Question, Mr. Samuelson; Answer, Mr. Gladstone July 26, 955; Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone August 2, 1407  
*Blockade of Baltic Ports*, Question, Mr. Loch; Answer, Mr. Otway July 25, [203] 876  
*France and Prussia*, Questions, Mr. Disraeli, Mr. Horsman; Answers, Mr. Gladstone July 14, [203] 254; Question, Observations, Mr. Disraeli; Reply, Mr. Gladstone; short debate thereon July 15, 343

*French or Prussian Merchant Ships*, Question, Admiral Erskine; Answer, The Attorney General July 28, [203] 1096  
*Heligoland Pilots*, Question, Sir Tollemache Sinclair; Answer, Mr. Otway July 26, [203] 952

*Neutrality of Belgium*, Ministerial Statement, Earl Granville; short debate thereon August 8, [203] 1671

*Neutrality—Export of Coal to Belligerents*, Questions, Mr. Gourley, Mr. Hussey Vivian; Answers, The Attorney General July 28, [203] 1093; Question, Mr. Stapleton; Answer, Mr. Gladstone August 1, 1278

*Neutrality of Luxembourg*, Question, Sir Henry Lytton Bulwer; Answer, Mr. Gladstone July 21, [203] 644

*Neutral Vessels*, Question, Mr. Gourley; Answer, Mr. Gladstone July 21, [203] 646

*Piloting Belligerent Men-of-War*, Question, Mr. W. N. Hodgson; Answer, Mr. Gladstone August 8, [203] 1696

*Prizes of War*, Question, Admiral Erskine; Answer, Mr. Otway July 29, [203] 1195

*Production of Papers*, Question, Mr. Somerset Beaumont; Answer, Mr. Gladstone August 8, [203] 1689

*The Franco-Prussian Correspondence*, Question, Lord Edmond Fitzmaurice; Answer, Mr. Gladstone August 8, [203] 1687

*The Frontier*, Question, Mr. Baines; Answer, Mr. Gladstone July 26, [203] 988; Question, Mr. Bourke; Answer, Mr. Otway July 28, 1094

*The War—Proclamation of Neutrality*, Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone July 18, [203] 409—*The Foreign Enlistment Act*, Question, Mr. Vernon Harcourt; Answer, The Attorney General July 28, 1097

*The War*, Observations, Mr. Disraeli; Reply, Mr. Gladstone; long debate thereon August 1, [203] 1286

*Treaties of 1815—Reprint of*, Question, Mr. T. B. Potter; Answer, Mr. Otway August 4, [203] 1527

[cont.]

*France and Prussia—cont.*

*Treaties of Vienna, &c.*—Moved, "That Copies of the following Treaties—the Treaty of Vienna, in which a separate guarantee of the Saxon Provinces is given by Great Britain to Prussia; the Treaty of Paris, November 1815; the Supplementary Treaty, of the same date, excluding the Buonaparte family from the Throne of France, and to maintain which the contracting Powers bound themselves to employ the whole of their Forces; the Protocol defining the territories ceded by France—be reprinted" (*Sir Wilfrid Lawson*), [203] 1668; after short debate, Motion withdrawn

Correspondence respecting preliminary Negotiations—*Parl. P.* [167, 189, 210]

FRENCH, Right Hon. Colonel F., *Roscommon Co.*

Army—Militia (Ireland), Motion for Correspondence, [203] 1234

Buxton, M.P., Attempt to shoot Mr., [200] 2060

County Coroners (Ireland), 2R. [201] 552

Diplomatic and Consular Services, Motion for a Committee, [199] 794

Ireland—Militia, The, [202] 895

Trinity College (Dublin), [199] 693

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Ireland—Local Taxation, Motion for a Committee, [202] 124, 125

Ireland—Militia, The, Motion for a Return, [203] 1737

Irish Land, Comm. cl. 1, [200] 1000; cl. 3, 1526; [201] 11; cl. 4, 300; cl. 41, 752; Consid. 1414; add. cl. 1420, 1431

Local Taxation, Motion for a Committee, [199] 666

Navy—Generals of Marines, [199] 433

Parliament—Sligo Borough Writ, [201] 524

Peace Preservation (Ireland), Comm. cl. 5, [200] 579; cl. 7, 581; cl. 9, 582; cl. 22, 599; cl. 37, 689; Consid. cl. 39, 712

Sligo and Cashed Disfranchisement, 2R. Amendt. [202] 311

Supply—Commissioners of Police, Dublin, [203] 1123

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*French Ships of War in the Gambia*

Question, Sir John Hay; Answer, Mr. Monsell July 25, [203] 877

*Friendly Societies*

Observations (*Mr. E. M. Richards*) July 8, [202] 1786

Amendt. on Committee of Supply July 8, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the existing state of the law relating to Friendly Societies" (*Mr. Evan Richards*), 1788; after short debate, Question, "That the words, &c.," put, and negatived; words added; main Question, as amended, put, and agreed to

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*Friendly Societies—cont.*

Her Majesty's Answer to Address reported  
*July 19, [203] 486*

Registration of, Question, Mr. Corrance; Answer, The Chancellor of the Exchequer  
*May 26, [201] 1410*

Parl. Papers—

Report of Registrar, 1869 . . . [356]

„ (Scotland) . . . [362]

„ (Ireland) . . . [471]

Returns, Question, Mr. E. Richards; Answer, Mr. Stansfeld *April 7, [200] 1430*

*Friendly Societies Bill*

(Mr. Chancellor of the Exchequer, Mr. Stansfeld)

c. Motion for Leave (Mr. Chancellor of the Exchequer) *Feb 10, [199] 156*; Bill ordered, after short debate; read 1<sup>o</sup>\* [Bill 14]

Bill withdrawn \* *May 20*

*Funded and Unfunded Debt*

Question, Mr. Cubitt; Answer, Mr. Stansfeld  
*May 6, [201] 325*

*GALLWEY, Sir W. P., Thirsk*

Channel Passage between England and France,  
Res. [201] 815, 824

County Government, Res. [201] 1868

France — Communication with — Loss of the  
“Normandy,” [200] 323

Virgin Islands, The, [203] 240, 241

*GALWAY, Viscount, Retford (East)*

Elementary Education, Comm. cl. 65, [203]  
57; Schedule II, 297, 308, 314

Friendly Societies, Motion for an Address, [202]  
1789

Gun Licences, 2R. [201] 1681; Comm. cl. 7,  
[203] 464; 3R. 766

Metropolis—Hyde Park—The Serpentine, Res.  
[203] 539

Poaching Prevention Act Repeal, 2R. Amendt.  
[202] 1558

*Gambia, Transfer of, to the French*

Questions, Mr. R. Fowler, Sir John Gray; Answers, Mr. Monsell, Mr. Gladstone *June 10, [201] 1842*

Questions, The Duke of Manchester, The Duke of Marlborough; Answers, Earl Granville, The Earl of Kimberley *July 15, [203] 339*

Amendt. on Committee of Supply *July 15*, To leave out from “That” and add “an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of all Papers relative to the contemplated transfer of the Colony of Gambia to France” (Sir John Hay), 351; Question proposed, “That the words, &c.,” after debate, Amendt. withdrawn

*Game Laws*

Question, Mr. Harcastle; Answer, Mr. Bruce  
*Mar 10, [199] 1821*

Return of Convictions, 1869—Parl. P. 131  
Amendt. on Committee of Supply *June 10*, “That, in the opinion of this House, it is expedient that an inquiry into the operation and effect of the Laws relating to Game, espe-

[cont,

*Game Laws—cont.*

cially as regards Scotland, be undertaken by a Committee of this House” (Mr. Loch), [201] 1898; after debate, Motion withdrawn

*Game Laws Abolition Bill*

(Mr. Taylor, Mr. Jacob Bright, Mr. White)

c. Ordered \* *Mar 15*

Read 1<sup>o</sup>\* *Mar 16*

[Bill 73]

Moved, “That the Bill be now read 2<sup>o</sup>”  
*May 25, [201] 1384*

Previous Question proposed, “That that Question be now put” (Mr. Harcastle); after debate, Debate adjourned

Debate resumed *July 20, [203] 550*

After debate, Previous Question put; A. 59,  
N. 147; M. 88

*Game Laws Amendment Bill*

(Mr. Philip Wykeham-Martin, Sir David Salomons, Sir Henry Hoare)

c. Ordered; read 1<sup>o</sup>\* *Feb 9* [Bill 3]

Moved, “That the Bill be now read 2<sup>o</sup>”  
*Mar 16, [200] 1*; after short debate, Motion withdrawn; Bill withdrawn

*Game Laws Amendment (No. 2) Bill*

(Mr. Harcastle, Sir Wilfrid Lawson)

c. Ordered; read 1<sup>o</sup>\* *May 2*

[Bill 115]

*Game Laws Amendment, &c. Bill*

(The Lord Advocate, Mr. Secretary Bruce)

c. Ordered; read 1<sup>o</sup>\* *April 11*

[Bill 101]

Bill withdrawn \* *July 11*

*Game Laws (Scotland)*

Question, Mr. McLagan; Answer, The Lord Advocate *Feb 15, [199] 332*

*Game Laws (Scotland) Bill*

(Mr. Loch, Sir Robert Anstruther, Mr. Parker)

c. Ordered; read 1<sup>o</sup>\* *Feb 10*

[Bill 7]

After short debate, 2R. deferred *Mar 2, [199] 1111*

Order for 2R. read *Mar 16, [200] 61*; after short debate, 2R. deferred

Bill withdrawn \* *August 3*

*GARLIES, Lord, Wigtonshire*

Army—Military Resources, [203] 1440

Army Enlistment, 2R. [201] 787

Army Estimates—Vote of Credit, [203] 1463

Yeomanry Cavalry, [201] 1839

Army Expenditure, [202] 1613; [203] 251

Church Rates (Scotland), 2R. [199] 1591

Conventual and Monastic Institutions, Motion for a Committee, [200] 2031

Post Office Telegraphs, [203] 1527

Ways and Means—Financial Statement, [200] 1681

Women's Disabilities, Comm. [201] 616

**Gas and Water Facilities Bill***(Mr. Shaw Lefevre, Mr. Stansfeld)*

- c. Ordered; read 1<sup>o</sup> \* *Mar 17* [Bill 77]  
 Read 2<sup>o</sup> \* *April 29*  
 Committee \*; Report *May 16*  
 Considered \* *May 19*  
 Read 3<sup>o</sup> \* *May 23*
- l. Read 1<sup>o</sup> \* *(The Lord Privy Seal) May 24*  
 Read 2<sup>o</sup> \* *June 13* (No. 111)  
 Committee, after short debate *July 21*, [203] 622  
 Report \* *July 22* (No. 222)  
 Read 3<sup>o</sup> \* *July 25*  
 Commons' Reasons (No. 289)
- c. Lords Amendts. considered; several agreed to; one disagreed to: Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendt. to which this House hath disagreed" *August 3*, 1513  
 Reasons for disagreeing to Lords Amendt. reported, and agreed to
- l. Royal Assent *August 9* [33 & 34 *Vict. c. 70*]

GAVIN, Major G., *Limerick City*  
 Army—Cadets at Woolwich, [199] 800

**General Police and Improvement (Scotland) Supplemental Bill***(The Lord Advocate, Mr. Adam)*

- c. Ordered; read 1<sup>o</sup> \* *May 26* [Bill 147]  
 Read 2<sup>o</sup> \* *May 30*  
 Order for Committee discharged *June 9*  
 Bill, so far as relates to Leith, committed to a Select Committee; Committee nominated by the Committee of Selection—Mr. Knight (Chairman), Mr. A. Seymour, Mr. Allen (Newcastle-under-Lyme), Sir Edmund Lacon  
 Report \* *June 17* [Bill 173]  
 Re-comm. \*; Report *June 20*  
 Read 3<sup>o</sup> \* *June 21*
- l. Read 1<sup>o</sup> \* *(The Earl of Morley) June 23*  
 Read 2<sup>o</sup> \* *July 1* (No. 155)  
 Committee \*; Report *July 4*  
 Read 3<sup>o</sup> \* *July 5*  
 Royal Assent *July 14* [33 & 34 *Vict. c. 115*]

**Gibraltar, Rumoured Cession of**

Question, Sir George Jenkinson; Answer, Mr. Gladstone *Mar 22*, [200] 423

**GILPIN, Colonel R. T., Bedfordshire**

Army—Military Resources, [203] 1437  
 Militia Officers, [203] 1522  
 Army Estimates—Land Forces, [199] 1229  
 Navy Estimates—Men and Boys, [199] 979

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## Glebe Loans (Ireland) Bill

(Mr. Chichester Fortescue, Mr. Stansfeld, Mr. Solicitor General for Ireland)

- c.* Ordered; read 1<sup>st</sup> July 18 [Bill 222]  
 203] Moved, "That the Bill be now read 2<sup>o</sup>"  
   *July 26, 956*  
 Amendt. to leave out "now," and add "upon this day three months" (*Mr. Candlish*); after long debate, Question put, "That 'now' &c.," A. 161, N. 58; M. 103; main Question put, and agreed to; Bill read 2<sup>o</sup>  
 . Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July 28 1145*  
 Moved, "That the debate be now adjourned" (*Mr. Newdegate*); Question put; A. 31, N. 113; M. 82; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report

[*cont.*]Glebe Loans (Ireland) Bill—*cont.*

- 203] Moved, "That the Bill be now taken into Consideration" *August 1, 1384*  
 . Amendt. to leave out "now," and add "upon this day three months" (*Mr. Newdegate*); Question proposed, "That 'now,' &c.;" Debate arising; Moved, "That the Debate be now adjourned" (*Mr. Sinclair Aytoun*), put, and negatived; Question put, "That 'now,' &c.;" A. 41, N. 24; M. 17; main Question put, and agreed to; Bill considered as amended  
 . Moved, "That the Bill be now read 3<sup>o</sup>" *August 2, 1482*; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Newdegate*); A. 16, N. 60; M. 44  
 Moved, "That this House do now adjourn" (*Mr. James Lowther*); Motion withdrawn; after further short debate, Question put, "That the Bill be now read 3<sup>o</sup>;" A. 48, N. 26; M. 22; Bill read 3<sup>o</sup>  
 2. Read 1<sup>st</sup> \* (*The Lord Dufferin*) *August 4*  
 Read 2<sup>nd</sup> \* *August 5* (No. 280)  
 Committee \*; Report *August 6*  
 . Bill read 3<sup>rd</sup>, after short debate *August 8, 1680*  
 Moved, to insert the following clause—"Every house built, enlarged, or improved, and every glebe or house purchased under this Act, shall be thenceforth held and occupied for that purpose only for which the same was originally provided, and shall not be alienated from that purpose without proof having been given to the satisfaction of the said Commissioners that the same is no longer required for that purpose" (*The Lord Redesdale*); after short debate, on Question? Cont. 13, Not-Cont. 30; M. 17; resolved in the negative; Amendts. made; Bill passed  
 Royal Assent *August 10 [33 & 34 Vict. c. 112]*

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Amendt. on Committee of Supply July 22, To leave out from “That” and add “an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I.” (*Colonel North*), [203] 770; Question proposed, “That the words, &c.,” after debate, Amendt. withdrawn

Another Amendt. To leave out from “That” and add “an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that sufficient gun metal shall be issued for the construction of the statue about to be erected in Dublin to commemorate the services of the late Field Marshal Viscount Gough, K.P., G.C.B., G.C.S.I., and that this House will make good the cost of the same” (*Colonel North*), 780; Question, “That the words, &c.” put, and negatived; words added; main Question, as amended, put, and agreed to  
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- India—Nawab Nazim of Bengal, [202] 1358

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- 202] Irish Land, 2R. 4; Comm. 744; *cl.* 1, 745, 747, 749, 754; *cl.* 2, 756; *cl.* 3, 758, 769, 772, 774, 775, 776, 777, 779, 780, 781, 859, 860, 865, 869, 874, 876, 891, 892; *cl.* 4, 955, 956, 957, 958, 962, 963, 966; *cl.* 5, 967, 976; *add. cl.* 991, 992, 993; *cl.* 8, 994, 996, 997; *add. cl.* 1053; *cl.* 12, 1055, 1057; *add. cl.* 1058, 1059; *cl.* 14, 1061; *cl.* 21, 1068; *cl.* 24, 1069; *cl.* 40, 1074; *cl.* 41, 1080; *cl.* 54, 1085; *cl.* 66, *ib.*; *cl.* 68, 1086, 1087; Report, *cl.* 3, 1431; Amendt. 1432; *cl.* 5, Amendt. 1448; *add. cl.* 1452, 1455, 1456; 3R. 1702, 1703, 1704, 1706; *cl.* 5, 1707; *cl.* 7, *ib.*; *cl.* 14, 1708
- 203] † Commons Amendments. 331; *cl.* A, 333; *cl.* 8, 338, 820
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- Marriage with a Deceased Wife's Sister, 2R. [201] 959
- Medical Act Amendment, 2R. [201] 265
- † Meeting of Parliament, 2R. [203] 1573
- † Militia Acts Amendment, 2R. [203] 1395, 1399
- National Gallery, Motion for Returns, [200] 316, 317
- † Neutrality Laws—Contraband of War—Horses, [203] 731
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- Public Offices, New, [200] 1425
- Ritual Commission, [201] 732
- Sequestration, 3R. [202] 954
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- † Spain, Throne of, [203] 3
- † University Tests, Motion for a Select Committee, [203] 229; Nomination of Committee, 627, 630
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- Customs and Inland Revenue, Comm. [201] 1783; *cl.* 11, 1807; *cl.* 21, 1810
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- Light Dues, Reduction of, [201] 460, 461
- Losses at Sea, Motion for a Commission, [201]  
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- Medical Acts Amendment, 2R. [200] 968
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- Merchant Shipping Code, Leave, [199] 307 ;  
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- Navy—H.M.S. “Monarch” and “Captain,”  
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ance of Troops, [203] 1207
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- Ireland—Kilmainham Hospital, [200] 719
- 199] Irish Land, 2R. 1681, 1689, 1692, 1693,  
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- 200] Comm. *cl.* 1, 1019 ; *cl.* 2, 1035, 1043 ;  
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- 201] *cl.* 3, 38, 44 ; Amendt. 46, 48, 51 ; Amendt.  
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- 203] Lords’ Amendts. 122, 127
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- Peace Preservation (Ireland), Leave, [200] 122 ;  
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680 ; *cl.* 32, 685 ; *cl.* 34, Amendt. 686 ;  
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- Post Office, Comm. *cl.* 8, [203] 1383 ; *cl.* 17,  
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*Capture and Murder of British Subjects*, Cor-  
respondence (Parts I: and II., 1870) pre-  
sented (*The Earl of Clarendon*) ; short de-  
bate thereon April 28, [200] 1960 ; Ob-  
servations, The Earl of Carnarvon ; Reply,  
The Earl of Clarendon ; short debate thereon  
May 23, [201] 1162

Moved, “That an humble address be presented  
to Her Majesty to assure Her Majesty that the  
House continues to regard with the deepest  
grief and horror the late atrocious murders  
perpetrated near Athens by a band of orga-  
nized brigands on the persons of several of  
Her Majesty’s subjects, including the Secre-  
tary of Her Majesty’s Legation ; to thank  
Her Majesty for the ample and early ac-  
counts thereof which it has pleased Her  
Majesty to communicate to the House ; to  
submit whether there be not grounds for  
apprehending that the lives of the lamented  
victims were mainly sacrificed to parties  
acting more or less in secret understanding  
with the brigands ; and to express an earnest  
hope that such further steps as Her Ma-  
jesty may please to take with reference to  
these matters will be directed not only to  
the immediate suppression of brigandage in  
Greece but more especially to the removal of  
its real causes, be they what they may, in dis-  
charge of the obligations virtually contracted  
by Her Majesty and Her Majesty’s Allies as  
the constituted protectors of that kingdom”  
(*Viscount Stratford de Redcliffe*) July 11,  
[203] 5 ; after long debate, Motion withdrawn

COMMONS—

- Constitution of, Question, Mr. Monk ; Answer,  
Mr. Otway June 9, [201] 1768
- 200] *Murder of British Subjects by Brigands*,  
Question, [Mr. Monk ; Answer, Mr. Otway  
April 25, 1730 ; Question, Mr. Cadogan ;  
Answer, Mr. Otway April 26, 1817 ; Ques-  
tions, Mr. W. C. Cartwright, Sir James  
Elphinstone ; Answers, Mr. Otway, Mr.  
Childers April 28, 1967 ; Question, Sir James  
201] Elphinstone ; Answer, Mr. Otway May 3, 107 ;  
Question, Mr. Auberon Herbert ; Answer,  
Mr. Otway May 10, 464 ; Question, Sir  
James Elphinstone ; Answer, Mr. Otway  
May 17, 814 ; Observations, Sir Roundell  
Palmer ; long debate thereon May 20, 1123 ;  
203] Observations, Sir Henry Lytton Bulwer ;  
short debate thereon July 29, 1232 ; Ques-  
tion, Mr. Baillie Cochrane ; Answer, Sir  
Henry Lytton Bulwer August 1, 1285 ; Ob-  
servations, Sir Henry Lytton Bulwer ; Reply,  
Mr. Gladstone ; debate thereon August 2,  
1412

[*cont.*

## Greece—cont.

Amendt. on Committee of Supply May 20, To leave out from "That" and add "this House, upon an examination of the Papers that have been laid before it concerning the recent massacres in Greece, feels itself called upon to express an opinion that the conduct of the Greek Ministers has been highly unsatisfactory, and that this House invites Her Majesty's Government to act as it thinks best on this opinion, and also to concert with its Allies as to the best means of establishing in Greece a Government capable of satisfying the ordinary requirements of a civilised state" (*Sir Henry Lytton Bulwer*), [201] 1144; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn  
Question, Mr. Eastwick; Answer, Mr. Otway June 16, [202] 264

*The Courier Alexander Anemoyanni*, Question, Mr. Monk; Answer, Mr. Otway May 23, [201] 1192; Observations, Sir James Elphinstone, Sir John Hay; Reply, Mr. Childers May 31, 1740

Correspondence, *Parl. P.* [90, 95, 96, 98, 101, 102, 104, 106, 111, 112, 114, 126, 128, 133, 135, 136, 157, 158, 169]

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*Admiralty Livings*, Question, Mr. Hodgson; Answer, Mr. Childers Mar 14, [199] 1873

"*Greenwich Sixpence*," *The*, Question, Mr. Ward Jackson; Answer, Mr. Shaw Lefevre Feb 21, [199] 585

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## Greenwich Hospital Bill

(Mr. William Henry Gladstone, Mr. Stansfeld, Mr. Baxter)

c. Ordered; read 1<sup>o</sup> July 19 [Bill 229]

Read 2<sup>o</sup> July 21

Committee\*; Report July 22

Read 3<sup>o</sup> July 25

l. Read 1<sup>st</sup> (The Earl of Camperdown) July 26

(No. 244)

Read 2<sup>nd</sup>\*; Committee negatived August 8

Read 3<sup>rd</sup>\* August 9

Royal Assent August 10 [33 & 34 Vict. c. 100]

GREGORY, Mr. G. B., *Sussex, E.*

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[199] 759; Comm. cl. 7, [200] 1423

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199] Irish Land, 2R. 1418

200] Comm. cl. 1, 754, 1006; cl. 2, 1044; cl. 3,

. 1064, 1077, 1988, 1991; Amendt. 1993

201] Amendt. 29, 284; cl. 4, 315; cl. 5, 367,

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. 594; cl. 20, 1009, 1256, 1260; Consid.

. 1416; add. cl. 1420

203] Lords' Amendts. 134

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Ireland—Shannon Navigation [Grant], Comm. [203] 1046

199] Irish Land, 2R. Motion for Adjournment, 1726, 1745

200] Comm. cl. 1, 756; cl. 3, 1303, 1485, 1522;

. Amendt. 1989, 1994, 1997, 2008, 2014, 2020

201] cl. 3, 44, 48; cl. 8, 405, 413, 414; cl. 17, 580;

. cl. 37, 606; cl. 41, 753; add. cl. 779, 997,

. 1033, 1261; Consid. add. cl. 1424

203] Lords' Amendts. 128

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 gium, [202] 490  
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## Gun Licences Bill

(Mr. Dodson, Mr. Chancellor of the Exchequer,  
 Mr. Stansfeld)

- c. Ordered; read 1<sup>o</sup> \* May 20. [Bill 134]  
 Read 2<sup>o</sup>, after short debate May 30, [201] 1680  
 Order for Committee read; Moved, "That  
 Mr. Speaker do now leave the Chair"  
 June 23, [202] 852

*Gun Licences Bill—cont.*

Amendt. to leave out from "That" and add "this House will, upon this day three months, resolve itself into the said Committee" (*Mr. Taylor*); after short debate, Question put, "That the words, &c.;" A. 262, N. 41; M. 221; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.F.

Committee; Report *July 18*, [203] 463

Considered *July 21*, 698

Moved, "That the Bill be now read 3<sup>o</sup>" *July 22*, 763

Amendt. to leave out "now," and add "upon this day three months" (*Mr. Craufurd*); after short debate, Question put, "That 'now,' &c.;" A. 179, N. 50; M. 129; main Question put, and agreed to; Bill read 3<sup>o</sup>

1. Read 1<sup>st</sup> (*The Marquess of Lansdowne*) *July 22*

Read 2<sup>nd</sup> *August 2* (No. 241)

Committee\*; Report *August 4*

Read 3<sup>rd</sup> *August 5*

Royal Assent *August 9* [33 & 34 *Vict. c. 57*]

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199] Question, Mr. Miller; Answer, The Lord

. Advocate *Mar 4*, 1236; Question, The Earl of Carnarvon; Answer, The Earl of Kim-

berley; short debate thereon *Mar 24*, 563; Question, Mr. Hunt; Answer, Mr. Bruce

. *April 11*, 1601; Question, Mr. Assheton Cross; Answer, Mr. Bruce *April 29*, 2133;

201] Question, Mr. Stapleton; Answer, Mr. Bruce

. *May 5*, 272; Question, Mr. Rowland Smith; Answer, Mr. Knatchbull-Inglessen *May 13*,

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### Habitual Drunkards Bill

(*Mr. Donald Dalrymple, Mr. Gordon, Mr. Pease*)

c. Ordered; read 1<sup>o</sup> *July 6*

[Bill 197]

Bill withdrawn *\* July 25*

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† Foreign Enlistment, Comm. [203] 1677, 1678;

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**High Court of Justice Bill [H.L.]**

(*The Lord Chancellor*)

1. Presented; read 1<sup>st</sup> \* Mar 11 (No. 32)  
[200] Bill read 2<sup>d</sup>, after long debate Mar 18, 169  
Committee \*; Report April 8 (No. 72)  
Moved, "That the House do now resolve itself in Committee" April 29, 2034; after debate, Motion withdrawn; Committee (*on re-comm.*) put off *sine die*

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### High Court of Justice Bill—cont.

- 200] *Appellate Jurisdiction Bill*, Committee (on *re-comm.*) put off *sine die*, 2057  
 Copy of the communication from the Lord Chief Justice of England, &c. respecting: Laid before the House (pursuant to order of this day), and to be printed (No. 104) *May* 17, 201] 809  
 . Committee (on *re-comm.*) after debate *May* 30, 1561 (No. 120)  
 . Report *June* 13, 1921 (No. 135)  
 202] Moved, "That the Bill be now read 3<sup>a</sup>" *June* 17, 317  
 Amendt. to leave out ("now") and insert ("this day three months") (*The Lord Denman*); on Question, That ("now") &c.? resolved in the affirmative; Bill read 3<sup>a</sup>  
 . Protest against the Third Reading, 319  
 c. Read 1<sup>st</sup> *June* 24 [Bill 180]  
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 Summary Convictions, 2R. [200] 1422

### HOARE, Sir H. A., *Chelsea, &c.*

- Army Estimates—Land Forces, [199] 1210  
 Yeomanry Cavalry, [201] 1835, 1840  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 2031; [201] 82  
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- Ireland—Trinity College, Dublin, Res. Motion for Adjournment, [200] 1143  
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 Poor Relief (Metropolis), 2R. [200] 1776  
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### HODGSON, Mr. W. N., *Cumberland, E.*

- Admiralty Livings, [199] 1873  
 France and Prussia—The War—Piloting Belli- gerent Men-of-War, [203] 1696  
 Greece—Murders in, [200] 1731  
 Tramways, Comm. [199] 1958

### HOLLAND, Mr. S., *Merionethshire*

- Wrecks off the Welsh Coast, [199] 1236

### HOLMS, Mr. J., *Hackney*

- Diplomatic and Consular Services, Res. [199] 533  
 Elementary Education, Consid. *cl.* 36, Amendt. [203] 500  
 Epping Forest, [201] 631; [203] 1272  
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 Navy Estimates—Dockyards, &c. [199] 1308  
 Supply—Consular Services, [203] 1240  
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### HOLT, Mr. J. M., *Lancashire, N.E.*

- Conventual and Monastic Institutions, Motion for a Committee, [200] 903  
 Elementary Education, Comm. *cl.* 46, [202] 1660

### HOPE, Mr. A. J. Beresford, *Cambridge University*

- Ballot, Leave, [199] 280  
 Benefices, 2R. [201] 539  
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 Burials, Leave, [199] 161; 2R. [200] 535  
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 Clerical Disabilities, 2R. [201] 1374; Comm. Motion for a Select Committee, [202] 448; *cl.* 7, 1692; Lords Amendts. [203] 1725  
 Ecclesiastical Titles Act Repeal, 2R. [203] 1543; Comm. *cl.* 2, 1596, 1597  
 Elementary Education, 2R. [199] 2021, 2027; Comm. [202] 546; *cl.* 7, 1036; *cl.* 8, 1119; *cl.* 10, 1233; *cl.* 14, 1251; *cl.* 27, 1405; *cl.* 46, 1665; Schedule II, [203] 272, 274; Amendt. 295  
 Epping Forest, [200] 1727  
 Ireland—Trinity College, Dublin, Res. [200] 1132  
 Marriage with a Deceased Wife's Sister, [199] 434; Comm. [200] 1927, 1937  
 Metropolis—Legislation respecting Government of, [203] 1735  
 National Gallery, [199] 171; [203] 894  
 Metropolis—National Gallery, Motion for Cor- respondence, [201] 1063, 1085, 1086, 1088

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- Metropolis—National Gallery, &c.—Evening Admission, Res. [201] 346
- Metropolis—Thames Embankment, Motion for an Address, [202] 1763
- Natural History Museum, [202] 1361
- Parliament—Central Hall, [203] 988
- Progress of Public Business, [200] 1709, 1716
- Parliament—Palace of Westminster—Case of Mr. Edward Barry, Res. [201] 698, 702, 703
- Parliamentary Elections, Leave, [201] 448
- Parochial Councils, Leave, [202] 1137
- Queen Anne's Bounty (Superannuation), 2R. [203] 1019; Comm. 1569
- Sites for Places of Worship, 2R. [200] 1410
- Supply—British Museum, [203] 1139
- Buildings of the Houses of Parliament, [203] 912
- Houses of Parliament, [203] 917
- National Gallery Enlargement, [203] 1472
- Natural History Museum, [203] 1476, 1477
- New Courts of Justice, [203] 1470
- New Home and Colonial Offices, [203] 1471, 1472
- Royal Parks, [203] 915
- University of London, [203] 1141, 1142
- Works and Public Buildings, [203] 685
- University Tests, 2R. [201] 1251; Consid. [202] 1383, 1387, 1391
- Wellington Monument, The, [203] 1732
- Women's Disabilities, 2R. [201] 223

HORNBY, Mr. E. K., *Blackburn*  
Unemployed Labour, Res. [202] 442

*Horse Races, Betting on*

Question, Mr. T. Hughes; Answer, Mr. Bruce  
*May 5*, [201] 274

**Horse Racing Bill**

(Mr. Hughes, Lord Elcho, Mr. Osborne Morgan,  
*Sir Henry Hoare*)

c. Motion for Leave (Mr. Hughes) *May 24*, [201]  
1350; after short debate; A. 132, N. 44;  
M. 88; Bill ordered  
Read 1<sup>st</sup> *May 30* [Bill 155]  
Bill withdrawn *\* July 22*

*Horses, Exportation of*

Question, Major Dickson; Answer, Mr. Gladstone *July 21*, [203] 650; Question, Colonel Beresford; Answer, Mr. Cardwell *July 28*, 1097

[See title *France and Prussia*]

HORSMAN, Right Hon. E., *Lisheard*

- Elementary Education, Comm. [202] 299, 914, 922
- France and Prussia, [203] 255, 347, 348
- Home and Colonial Offices, [202] 1213
- Irish Land, 2R. [199] 1643, 1654
- Parliament—Conduct of Business, [203] 241
- Patent Office—Case of Mr. Edmunds, [201] 973; Motion for a Paper, [203] 530
- Peace Preservation (Ireland), 2R. [200] 401
- Sites for Places of Worship, 2R. [200] 1402
- Spain—Choice of a Prince, [203] 637, 639
- University Tests, Consid. [202] 1385, 1395

HOSKYNs, Mr. C. WREN-, *Hereford City*  
Customs and Inland Revenue, 2R. [201] 1631  
Irish Land, Comm. cl. 24, Amendt. [201] 600, 601; cl. 41, 768; cl. 66, Amendt. 771; Consid. cl. 19, Amendt. 1440  
Ordnance Survey, [200] 1599  
Supply—Ordnance Survey, [203] 920

HOUGHTON, Lord

- Clerical Disabilities, 2R. [203] 926; Comm. 1066; cl. 7, 1070
- Foreign Enlistment, Comm. [203] 1676, 1679
- Marriage with a Deceased Wife's Sister, 2R. [201] 895, 963
- Married Women's Property, Comm. cl. 2, [203] 398; add. cl. 400
- Naturalization, Comm. cl. 8, [199] 1618; Report, add. cl. [200] 65
- Owens College Extension, 2R. [199] 1476

*Hours of Labour Regulation Act*

Question, Lord Lyttelton; Answer, The Earl of Morley *Feb 24*, [199] 760  
[See title *Factories and Workshops Acts*]

*House Tax*

Moved, "That the House Tax is unequally and unfairly assessed, imposes unnecessary restrictions upon the construction of buildings specially adapted for the working classes, and ought to be repealed" (Mr. Alderman W. Lawrence) *April 5*, [200] 1374; after short debate, Motion withdrawn

HOWARD, Mr. J., *Bedford*

- Elementary Education, 2R. [200] 250; Comm. cl. 7, [202] 1041, 1050
- Ireland—Waste Lands, [200] 210
- Irish Land, Comm. cl. 41, [201] 754, 769
- Judicial Sentences, [200] 1430
- Metropolis Sewage, [202] 1359
- Pollution of Rivers Commission, [199] 999, 1000
- Post Office—Country Postmasters, [203] 37
- Ways and Means, Report, Res. 7, [200] 1725

HOWARD OF GLOSSOP, Lord

Elementary Education, 2R. [203] 850; Comm. cl. 19, Amendt. 1183

*Hudson's Bay Company*

- Question, Viscount Milton; Answer, The Attorney General *May 6*, [201] 327
- Red River Insurrection—Payment of Purchase Money, Question Mr. Gourley; Answer, Mr. Monsell *Feb 17*, [199] 427
- Rupert's Land, Question, Viscount Milton; Answer, Mr. Stansfeld *May 19*, [201] 968; Personal Explanation, Viscount Milton; short debate thereon *May 20*, 1059
- Papers relating to. . . . . P. P. 315

HUGHES, Mr. T., *Frome*

- Elementary Education, Comm. add. cl. [203] 263
- False Weights and Measures, Res. [201] 1508
- Gambia—Settlement of, Address for Papers, [203] 366



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Horse Racing, [201] 274; Leave, 1350, 1364  
 Parochial Councils, Leave, [202] 1135  
 Public Schools, Motion for an Address, [200]  
 1379; [201] 193, 1686  
 Public Schools Act Amendment, Comm. [203]  
 1049  
 Sunday Trading, 2R. [202] 1573  
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HUNT, Right Hon. G. W., *Northamptonshire, N.*

Coinage, 2R. [199] 861  
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 tion of Committee, [201] 74  
 Corrupt Practices, Motion for a Committee,  
 [200] 1699  
 Elementary Education, Comm. cl. 33, [202]  
 1485; cl. 46, 1658  
 Gun Licences, 2R. [201] 1680  
 Habitual Criminals Act, [200] 1601  
 Ireland—Trinity College, Dublin, Res. [200]  
 1145  
 Irish Land, 2R. [199] 1497, 1501; Comm. cl. 1,  
 [200] 1011; cl. 2, 1036, 1037, 1057; cl. 3,  
 1060, 1065, 1070, 1452  
 Navy Estimates—Miscellaneous Services, [201]  
 1678, 1679  
 Peace Preservation (Ireland), Comm. cl. 13,  
 [200] 592  
 Spain and Portugal—Debts of, [200] 988  
 Stamp Duties, 2R. [201] 1637  
 Supply—Civil Services, [202] 851  
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 389  
 War Office, 2R. [199] 783; Comm. cl. 3, 860,  
 861  
 Ways and Means—Financial Statement, [200]  
 1659, 1661

## HUNTLY, Marquess of

Parliament—Address in Answer to the Speech,  
 [199] 7

HURST, Mr. R. H., *Horsham*

Attorneys and Solicitors Remuneration, 2R.  
 [199] 768

HUTT, Right Hon. Sir W., *Gateshead*

Spain—Choice of a King—Prince Leopold of  
 Hohenzollern, [203] 32

ILLINGWORTH, Mr. A., *Knaresborough*

Census, 2R. [203] 818  
 Elementary Education, 2R. [199] 1928, 1939;  
 Comm. cl. 7, [202] 1044; cl. 27, 1418; Lords'  
 Amendts. [203] 1560  
 National Debt, Res. [202] 1512, 1513  
 Sanitary Act (Dublin) Amendment, Comm.  
 [203] 1568

## Inclosure Bill

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

c. Ordered; read 1<sup>o</sup> \* July 8 [Bill 206]  
 Bill withdrawn August 4, 1557

Inclosure Amendment Bill—*formerly*

## Commons Inclosure Bill

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

c. Ordered; read 1<sup>o</sup> \* May 6 [Bill 119]  
 Moved, "That the Bill be now read 2<sup>o</sup>"  
 June 10, [201] 1911; after short debate, De-  
 bate adjourned  
 Bill withdrawn \* July 4

Income Tax Assessment and Inland Re-  
venue Law Amendment Bill

(*Mr. Stansfeld, Mr. Chancellor of the Exchequer*)

c. Ordered; read 1<sup>o</sup> \* Mar 4 [Bill 63]  
 Bill read 2<sup>o</sup>, after short debate Mar 10, [199]  
 1731  
 Committee\*; Report Mar 11  
 Read 3<sup>o</sup> \* Mar 14  
 l. Read 1<sup>st</sup> \* (*The Marquess of Lansdowne*)  
 Mar 15 (No. 37)  
 Read 2<sup>nd</sup> \* Mar 17  
 Committee\*; Report Mar 18  
 Read 3<sup>rd</sup> \* Mar 22  
 Royal Assent Mar 25 [33 Vict. c. 4]

## INDIA

## Army

*Army (Cochrane's) Regulations*, Question,  
 Colonel North; Answer, Mr. Grant Duff  
 June 14, [202] 99

*Army—Royal Artillery—Indian Service*—See  
 that title

*Bombay Military Fund*, Question, Mr. Dickin-  
 son; Answer, Mr. Grant Duff Feb 17, [199]  
 432; August 5, [203] 1573

*British Regiments in*, Question, Mr. Eastwick;  
 Answer, Mr. Grant Duff June 13, [201] 1942

*Cadets in the Indian Army*, Question, Mr.  
 Salt; Answer, Mr. Grant Duff June 24, [202]  
 894

*Colonels of the Indian Army*, Question, Major  
 Anson; Answer, Mr. Cardwell May 3, [201]  
 106

*Colonels, Supersession of*—Report . . . [45]  
 [See title *Army—Colonels—The late Indian  
 Army*]

*Compensation under Bonus System*—P. P. 90  
*Field Officers Retirement*—Correspondence—  
 P. P. 173

*Indian Artillery, the late*, Question, Mr.  
 Weguelin; Answer, Mr. Grant Duff July 26,  
 [203] 953

*Indian Officers—Furlough and Retired Pay*,  
 Question, Colonel Sykes; Answer, Mr. Grant  
 Duff Feb 11, [199] 165

*Indian Reliefs—The 21st Fusiliers*, Observa-  
 tions, Question, Earl De La Warr; Reply,  
 Lord Northbrook Feb 18, [199] 499—*Non-  
 Purchase Corps*, Question, Colonel Annesley;  
 Answer, Captain Vivian Mar 1, 1901

*Kirwee Prize Money*—See title *Army (India)*  
 —*Kirwee Prize Money*

*Pay of Officers in*, Question, Mr. Staepoole;  
 Answer, Mr. Cardwell June 23, [202] 785

*Pensions, Commutation of*, Question, Colonel  
 Sykes; Answer, Mr. Grant Duff Feb 24, [199]  
 763; Mar 1, 998

*Recall of Indian Regiments*, Question, Colonel  
 C. Lindsay; Answer, Mr. Grant Duff Feb 28,  
 [199] 881

[*cont.*]

INDIA—cont.

*Regimental Surgeons*, Question, Sir Thomas Bazley; Answer, Mr. Grant Duff *April 7*, [200] 1425  
*Staff Corps of India*, Question, Colonel Sykes; Answer, Mr. Grant Duff *Feb 11*, [199] 164

*Brothers' Islands, The*, Question, Mr. Gourley; Answer, Mr. Grant Duff *July 4*, [202] 1355

*Civil Service*

Question, Mr. Crawford; Answer, Mr. Grant Duff *Feb 24*, [199] 772

*Disqualification of Asiatics*, Question, Mr. Percy Wyndham; Answer, Mr. Grant Duff *July 28*, [203] 1100

*Mr. Borooh*, Question, Mr. Scourfield; Answer, Mr. Grant Duff *July 14*, [203] 252

*Mr. Mason, Case of*, Amendt. on Committee of Supply *July 22*, To leave out from "That" and add "the Civil Service Commissioners be instructed to produce the evidence in opposition to that afforded by entries in the Calcutta Gazette and Calcutta University Calendar, on which they considered Mr. Borooh (who was a successful candidate on the occasion of the last competitive examination for employment in the Civil Service of India, to the exclusion of Mr. Mason), duly qualified according to the existing regulations as to age, to become a candidate" (*Mr. Scourfield*), [203] 793; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

*Currency of Ceylon*, Question, Mr. Mundella; Answer, Mr. Stansfield *May 20*, [201] 1057

*East India Company—Letter of 17th May*, 1766, Question, Mr. Haviland-Burke; Answer, Mr. Grant Duff *June 9*, [201] 1768

*Educational Service, Despatch on*, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *July 14*, [203] 244

*Education, Progress of, since 1866—*  
*P.P.* 397

*Finance*

*Budget*, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *Feb 28*, [199] 881

*Budget Statement, 1869*, Correspondence *P.P.* 95

*Financial Statement*, Statement respecting East India (Finance); and also, Papers relating to the levy of a Road and Educational Cess in Bengal; Severally presented (by command) (*The Duke of Argyll*) *July 28*, [203] 1071; after long debate, ordered to lie on the Table

*Income Tax*, Question, Mr. Denison; Answer, Mr. Grant Duff *May 17*, [201] 809; Question, Mr. Dickinson; Answer, Mr. Grant Duff *June 10*, 1842; Question, Sir David Wedderburn; Answer, Mr. Grant Duff *June 13*, 1945

*Indian Finance, Withdrawal of Notice*, Observations, Mr. Fawcett *July 15*, [203] 367

*Finance and Revenue Accounts—Annual Accounts . . . . . P. P.* 233

*Home Accounts, Annual . . . P. P.* 234

*Statistical Abstract—1860 to 1869—*

*P. P.* [184]

[See title *East India Revenue Accounts*]

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INDIA—cont.

*Fish Preservation*, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *Mar 11*, [199] 1742

*Great Indian Peninsula Railway Company*, Questions, Sir Stafford Northcote, Mr. J. B. Smith; Answers, Mr. Grant Duff *July 7*, [202] 1623

*Medical Service Examination, 1871*, Question, Colonel Sykes; Answer, Mr. Grant Duff *July 11*, [203] 38

*Navy—Case of Captain Hamilton*, Question, Mr. Abel Smith; Answer, Mr. Grant Duff *Mar 1*, [199] 895

*Nawab Nazim of Bengal—Despatch to Mr. Cartier*, Question, Mr. Bagwell; Answer, Mr. Grant Duff *April 7*, [200] 1432; Question, Mr. Haviland-Burke; Answer, Mr. Grant Duff *April 29*, 2057; Question, Lord Ronald Gower; Answer, Mr. Grant Duff *July 4*, [202] 1358

*Despatch No. 30 . . . P. P.* 371 371-II

*Persian Gulf Telegraph*, Question, Mr. W. H. Gregory; Answer, Mr. Grant Duff *Feb 24*, [199] 764

*Presidency Banks*, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *Feb 17*, [199] 427—*Bank of Bengal—Agency at Bombay*, Question, Mr. Gilpin; Answer, Mr. Grant Duff *Feb 14*, 234—*Old Bank of Bombay*, Question, Mr. Dyce Nicol; Answer, Mr. Grant Duff *July 21*, [203] 635—

*Failure of—Minutes . . . . . P. P.* 428

*Progress and Condition, Statement of for 1868-9 . . . . . P. P.* 396 L. [213]

*Public Works, Question*, Mr. Kinnaird; Answer, Mr. Grant Duff *Mar 18*, [200] 206

*Correspondence P. P.* 141

*Public Works Department—Engineering College*, Question, Mr. Plunket; Answer, Mr. Grant Duff *August 9*, [203] 1733

*Punjab Tenancy Act*, Question, Sir Charles Wingfield; Answer, Mr. Grant Duff *Feb 11*, [199] 167 Papers relating to, *P. P.* 159

*Railways*, Question, Mr. Roden; Answer, Mr. Grant Duff *Mar 4*, [199] 1237; *Mar 11*, 1735; Question, Sir David Wedderburn; Answer, Mr. Grant Duff, 1744

*Parl. Papers—*

*Report for 1869-70 . . . . . [163]*

*Returns . . . . . 278*

*Singapore—Judicial Independence*, Petition presented (*Earl Grey*) *May 20*, [201] 1041; after short debate, Petition to lie on the Table

[See titles *Army—Colonels*

*East India (Council of State)*

*East India (Opium Revenue)*

*East India Company—The late*

*Indian Military Services*

*India—East India Revenue Accounts*

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *August 5*, [203] 1599

Amendt. To leave out from "That" and add "this House regrets that the Indian Budget is introduced at so late a period of the Session, and is of opinion, considering the present position of Indian Finance, that it would be expedient to appoint a Select Committee early next Session to inquire into

[cont.]



*India—East India Revenue Accounts—cont.*

the administration of the finances of India" (Mr. Fawcett); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question, "That Mr. Speaker, &c." put, and agreed to; Considered in Committee, 1614; after long debate, Committee—*r.p.*

House again in Committee, 1624

Moved, "That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1869 was £49,262,691; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,249,766; the charges in India, including Interest on Debt, and Public Works ordinary, were £33,406,826; the value of Stores supplied from England was £1,432,840; the charges in England were £6,248,819; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,700,470, making a total charge for the same year of £52,036,721; and there was an excess of Expenditure over Income in that year amounting to £2,774,030; that the charge for Public Works extraordinary was £1,370,613, and that including that charge the excess of Expenditure over Income was £4,144,643" (Mr. Grant Duff); after long time spent therein, Resolution agreed to

*Industrial Classes in Foreign Countries—The Reports*

Question, Mr. Morrison; Answer, Mr. Otway  
July 11, [203] 30

*Industrial School, Glasgow—Case of Alexander Gillespie*

Question, Mr. Graham; Answer, Mr. Bruce  
Mar 25, [200] 639

*Ink, Cost of, for the Public Service*

Question, Mr. Crawford; Answer, Mr. Stansfeld  
June 13, [201] 1945

*Inland Revenue Acts Repeal Bill*

(Mr. Dodson, Mr. Chancellor of the Exchequer,  
Mr. Stansfeld)

*c.* Ordered; read 1<sup>o</sup> \* May 26 [Bill 146]  
Read 2<sup>o</sup> \* July 11  
Committee\*; Report August 4  
Read 3<sup>o</sup> \* August 5  
*l.* Read 1<sup>o</sup> \* (The Marquess of Lansdowne)  
August 5 (No. 297)  
Read 2<sup>o</sup> \*; Committee negatived August 8  
Read 3<sup>o</sup> \* August 9  
Royal Assent August 10 [33 & 34 Vict. c. 99]

*Inland Revenue—Salaries and Compensation of Collectors*

Question, Colonel Gray; Answer, The Chancellor of the Exchequer May 5, [201] 276;  
Question, Lord Elcho; Answer, The Chancellor of the Exchequer May 12, 575; Question, Mr. Wilbraham Egerton; Answer, The Chancellor of the Exchequer May 12, 576

*Inventions, Legislation in regard to*

Question, Mr. Macfie; Answer, Mr. Gladstone  
July 29, [203] 1230

*Inverness County, &c. (Boundary) Bill*

(Mr. Cameron, Colonel Grant, Mr. Mackintosh)

*c.* Ordered; read 1<sup>o</sup> \* Feb 21 [Bill 38]  
Read 2<sup>o</sup> \* and referred to a Select Committee Mar 7; Committee nominated as follows:—Mr. Cameron, Colonel Grant, Mr. Montague Guest, Mr. John Hamilton; Sir John Ogilvy (Chairman), Mr. Haviland Burke, and Mr. Hick added by the Committee of Selection  
Report of Select Committee\* Mar 18 [Bill 82]  
Re-comm.\*; Report Mar 21  
Read 3<sup>o</sup> \* Mar 22  
*l.* Read 1<sup>o</sup> \* (The Duke of Richmond), and referred to the Examiners Mar 24 (No. 48)  
Read 2<sup>o</sup> \* April 7  
Committee\* May 6  
Report\* May 9  
Considered\* May 9  
Read 3<sup>o</sup> \* May 10  
Royal Assent June 20 [33 & 34 Vict. c. 16]

## IRELAND

*Agricultural Returns*, Question, Mr. Montague Guest; Answer, The Chancellor of the Exchequer June 30, [202] 1212

*Agricultural Statistics—Emigration* . . . . . P. P. [1] [67]

Tables for 1868 . . . . . P. P. [3]

*Agricultural Holdings* . . . . . P. P. [32]

*Agricultural Labourers—Wages* P. P. [35]

*Bank of Ireland—Payment of Dividends*, Question, Mr. Sherlock; Answer, The Chancellor of the Exchequer April 5, [200] 1283  
*Bankruptcy Law*, Question, Mr. Keown; Answer, Mr. Chichester Fortescue Feb 28, [199] 879; Question, Mr. Keown; Answer, The Solicitor General for Ireland Mar 7, 1364

*Church of Ireland—General Convention of the*, Question, Mr. Charley; Answer, Mr. Gladstone Feb 10, [199] 120

*Coastguard—Lough Foyle and Lough Swilly*, Question, The Marquess of Hamilton; Answer, Mr. Childers May 2, [201] 5

*County Coroners, Powers of*, Question, Mr. Bruen; Answer, Mr. Chichester Fortescue Mar 10, [199] 1622

*Diocesan Registries*, Question, Mr. Pollard-Urquhart; Answer, Mr. Chichester Fortescue July 14, [203] 249

*Dock at Hawibowline, Royal*, Question, Mr. Maguire; Answer, Mr. Childers August 5, [203] 1575

*Dublin Carriage Act*, Question, Mr. Pim; Answer, Mr. Chichester Fortescue April 8, [200] 1502

*Dublin Freeman Commission*, Question, Mr. J. Lowther; Answer, Mr. Chichester Fortescue Mar 22, [200] 422

Report of Commissioners  
Minutes of Evidence *Parl. P.* [93] [93-1]

*Dublin, Representation of*, Question, Mr. Stauropele; Answer, Mr. Chichester Fortescue June 27, [202] 998—*Irwin, Mr. George, Corrupt Practices at Election*, Question, The O'Connor Don; Answer, Mr. Stansfeld July 4, 1353

[*cont.*]

IRELAND—cont.

Ordered, That a new Writ be issued for the City of Dublin, in the room of Sir Arthur Edward Guinness, baronet, void Election August 10, [203] 1772

*Dublin Mails* . . . . . *Parl. P. 9*  
*Ecclesiastical Titles Act*, Questions, The Marquess of Clanricarde; Answers, Earl Granville May 2, [201] 3

Education

*National Schools—Salaries of Teachers*, Question, Sir Frederick W. Heygate; Answer, Mr. Chichester Fortescue Mar 1, [199] 994  
*Primary Education Commission*, Question, Mr. Winterbotham; Answer, Mr. Chichester Fortescue Feb 17, [199] 430; Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone May 16, [201] 739; Question, Sir Frederick W. Heygate; Answer, Mr. Gladstone June 30, [202] 1206

Parl. Papers—

Report of Commissioners [6, 6-I to VII]  
National Education, 36th Report . [119]  
Education (Ireland), Report for  
1869-70 . . . . . 352

*Glencree Reformatory*, Question, Mr. Bagwell; Answer, Mr. Chichester Fortescue Mar 21, [200] 325

*Goold, R.M., Case of Mr.*, Question, Mr. Dease; Answer, Mr. Chichester Fortescue April 8, [200] 1506

*Incorporated Society of Attorneys and Solicitors (Ireland)*, Petition (*Lord Chelmsford*); Observations thereon Mar 25, [200] 636; Postponement of Notice Mar 31, 982; Motion for Address for a Commission (*Lord Chelmsford*) April 8, 1496; after short debate, Motion amended, and agreed to

*Irish Coast between Tuskar and Dublin*, Question, Mr. Graves; Answer, Mr. Shaw Lefevre July 19, [203] 483

*Irish Records*, Moved, That there be laid before this House Copies of Correspondence between the Master of the Rolls and the Treasury on this subject (*The Lord Talbot de Malahide*) May 5, [201] 270; after short debate, Motion withdrawn

Second Report . . . . . *Parl. P.* [137]

*English Records relating to Ireland*, Question, Mr. W. H. Gregory; Answer, Mr. Stansfeld May 13, [201] 628

*Irish Society, The—Landing Pier at Culmore*, Question, Mr. Maguire; Answer, Mr. Alderman W. Lawrence June 30, [202] 1208

*Irvine, Mr. D'Arcy*, Question, Mr. Saunderson; Answer, Mr. Chichester Fortescue May 17, [201] 813

*Kilmainham Hospital*, Question, Sir John Gray; Answer, Mr. Cardwell Mar 28, [200] 719

*Kilmainham and Chelsea Hospitals—*

First Report . . . . . *Parl. P.* [191]

*Kilmainham—Instructions* . . . . . *Parl. P.* 217

*Landed Estates Court—Land Sales*, Question, Sir Frederick W. Heygate; Answer, Mr. Chichester Fortescue Mar 4, [199] 1239; Question, Mr. Wingfield Baker; Answer, Mr. Chichester Fortescue Mar 14, 1865; Question, Lord Dunsany; Answer, Lord Dufferin May 5, [201] 265

[cont.]

IRELAND—cont.

Law and Police

*Constabulary*, Question, Mr. Stacpoole; Answer, Mr. Chichester Fortescue Feb 14, [199] 235

*Derry Celebrations, The*, Question, Colonel Stuart Knox; Answer, The Solicitor General for Ireland August 1, [203] 1275

*Fenian Convicts, Released*, Question, Sir George Jenkinson; Answer, Mr. Bruce Feb 22, [199] 687

*Fenian Prisoners, Treatment of*, Question, Mr. Stacpoole; Answer, Mr. Gladstone Mar 3, [199] 1140

*Grand Jury Laws*, Question, Mr. Synan; Answer, Mr. Chichester Fortescue Feb 25, [199] 799

*Grand Jury of Meath*, Question, Colonel Taylor; Answer, Mr. Chichester Fortescue Mar 8, [199] 1482

*Irish Magistracy, The*, Question, Mr. Callan; Answer, Mr. Chichester Fortescue Mar 18, [200] 209

[See title *Ireland—Magisterial Appointments*]

*Jury Law—Unanimity of Juries*, Question Captain Dawson-Damer; Answer, Mr. Chichester Fortescue Mar 8, [199] 1478

*Louth Election*, Observations, Mr. O'Reilly-Dease Mar 4, [199] 1290

*Military Precautions in Ireland*, Question, Colonel Stuart Knox; Answer, Mr. Chichester Fortescue July 18, [203] 410

*Militia (Ireland)*, Moved, "That there be laid before this House, a Return of the number of Militiamen, stating date, corps, county, offence, and punishment, who had been brought before either Magistrates at Petty Sessions or any Superior Court since 1865 charged with any agrarian or political offence in Ireland" (*Mr. Stacpoole*) August 9, [203] 1736; after short debate, Motion withdrawn

*Militia, Irish, Embodiment of the*, Question, Mr. Stacpoole; Answer, Captain Vivian Feb 11, [199] 176—*Reduction of Sergeants*, Question, Colonel French; Answer, Mr. Cardwell June 24, [202] 895

*National Parliament—Petition*, Observations, Lord Talbot de Malahide May 2, [201] 1

*Official Salaries*, Question, Mr. Plunket; Answer, Mr. Gladstone July 7, [202] 1620

*Party Processions Act*, Question, Mr. W. Johnston; Answer, Mr. Chichester Fortescue Feb 11, [199] 173

*Political Prisoners*, Question, Observations, Mr. Moore; Reply, Mr. Gladstone Mar 17, [200] 76; Mar 21, 320—*Case of "General" Burke*, Observations, Mr. Moore; Reply, Mr. Bruce April 8, 1881

*Polling Places, Extra*, Question, Mr. Stacpoole; Answer, Mr. Chichester Fortescue Mar 10, [199] 1630

Poor Law

*Inspectors' Salaries*, Question, Lord George Hamilton; Answer, Mr. Gladstone July 14, [203] 249

[cont.]



## IRELAND—cont.

*Paupers, Irish*, Question, Mr. McCarthy Downing; Answer, Mr. Chichester Fortescue Feb 25, [199] 796

*Union Rating*, Question, Mr. M'Mahon; Answer, Mr. Chichester Fortescue Mar 10, [199] 1621; Question, Mr. Kavanagh; Answer, Mr. Chichester Fortescue Mar 28, [200] 721  
[See title *Ireland—Rating*]

*Press, The—"The People,"* Question, Mr. Kavanagh; Answer, Mr. Chichester Fortescue Mar 17, [200] 72

*Queen's Plates in*, Question, Mr. Stacpoole; Answer, Mr. Stansfeld August 1, [203] 1271

*Regium Donum*, Question, Mr. Dawson; Answer, Mr. Chichester Fortescue Feb 14, [199] 241

*Royal Residence in*, Question, Mr. Stacpoole; Answer, Mr. Gladstone July 14, [203] 240

*Sale of Poison*, Question, Mr. Agar-Ellis; Answer, The Solicitor General for Ireland Mar 31, [200] 984

*Shannon and Suck, The*, Motion for a Paper (*The Marquess of Clanricarde*) Feb 28, [199] 873; after short debate, Motion agreed to Return—*P. P.* 34

*Sligo and Cashel—New Writs*, Question, Mr. Stacpoole; Answer, Mr. Chichester Fortescue Mar 4, [199] 241

*Stamp Duties on Leases*, Question, Mr. Pim; Answer, Mr. Gladstone Mar 18, [200] 202

## State of Ireland

## LORDS—

*Cork, Disturbances at*, Question, The Duke of Buckingham; Answer, Earl Spencer; short debate thereon July 1, [202] 1302

*Crime and Outrage*, Withdrawal of Notice (*The Marquess of Clanricarde*) Mar 3, [199] 1116; Notice (*The Marquess of Clanricarde*) Mar 7, 1324; Question, The Marquess of Clanricarde; Answer, Earl Granville Mar 15, 1959

*Peace Preservation Act*, Motion for Returns (*The Earl of Leitrim*) April 8, [200] 1500; after short debate, Motion amended, and agreed to

*Repression of Crime and Disorder*, Question, The Duke of Marlborough; Answer, Earl Granville Mar 11, [199] 1732; Observations, Earl Granville short debate thereon Mar 14, 1860

[See title *Ireland—Crime and Outrage*]

## COMMONS—

*Mayo, State of*, Question, Mr. G. Browne; Answer, Mr. Chichester Fortescue July 14, [203] 243

*Repression of Crime and Disorder*, Questions, Mr. Bentinck, Lord John Manners, Colonel Stuart Knox; Answers, Mr. Gladstone Mar 3, [199] 1147; Question, Mr. Disraeli; Answer, Mr. Gladstone Mar 14, 1874; Question, Sir Thomas Bateson; Answer, Mr. Chichester Fortescue Mar 15, 1960

*Security of Life in*, Question, Lord John Manners; Answer, Mr. Gladstone Feb 28, [199] 876; Mar 7, 1370

[cont.]

## IRELAND—cont.

*Telegraphic Communication*, Question, Mr. Stacpoole; Answer, The Marquess of Hartington June 20, [202] 483; June 23, 785

*Telegraphic Communication—Tuskar Light-house*, Questions, Mr. M'Mahon, Mr. Stacpoole; Answers, The Marquess of Hartington August 1, [203] 1281

*Tobacco, Cultivation of*, Question, Mr. Stacpoole; Answer, The Chancellor of the Exchequer Mar 8, [199] 1478

*Trinity College, Dublin*, Question, Colonel French; Answer, Mr. Gladstone Feb 22, [199] 693

[See title *Ireland—Trinity College, Dublin*  
*Waterford Election Petition*, Questions, Mr. Chichester Fortescue, Mr. Bouverie; Answers, Mr. Matthews, Mr. C. Forster June 30, [202] 1208

## Ireland—Crime and Outrage

Motion for Returns, Of the counties or other districts of Ireland which have been proclaimed by the Lord Lieutenant from 1st November 1868 up to the present date:

Copies of or extracts from any Correspondence that may have taken place between the Irish Government and lieutenants, deputy lieutenants, or magistrates of counties relative to Crime and Outrage in the years 1868 and 1869 (*The Marquess of Clanricarde*) Mar 21, [200] 310; after short debate, resolved in the negative

Return of, during 1869, &c. . *P. P.* [60]

## Ireland—Kildare Chapel

Motion for, Copy of the Reports furnished to the Irish Government of notices posted at and about the Chapel of Kildare, calling for a meeting to discuss the conduct of the Duke of Leinster and his agent towards certain of his tenants, and of the meeting and the speeches made thereat after mass on the 25th instant in the chapel yard (*The Marquess of Clanricarde*) April 4, [200] 1161; after short debate, Motion withdrawn

## Ireland—Local Taxation

Question, Mr. Synan; Answer, Mr. Goschen Feb 25, [199] 799

Moved, "That a Select Committee be appointed to inquire into the increase, during the last thirty-three years, of Local Taxation in Ireland, and report in what manner it may be diminished, and how far its incidence may be more equitably distributed" (*Colonel French*) June 14, [202] 124; after short debate, Motion withdrawn

## Ireland—Madden, Mr., Dismissal of

Question, Mr. Haviland-Burke; Answer, Mr. Chichester Fortescue Mar 10, [199] 1627

Motion for "Copies of Correspondence between Mr. John Madden of Hilton Park, Clones, and the Secretary to the Lord Lieutenant of Ireland, in October 1869, relative to the proposed illegal party procession in Dublin on Sunday October 10th; and, of all Correspondence between Mr. Madden and the officials of Dublin Castle, including the Lord Chancellor of Ireland, in the months of

[cont.]

*Ireland—Madden, Mr., Dismissal of—cont.*

December and January last" (*Lord Claud John Hamilton*) *Mar* 29, [200] 908; after debate, Debate adjourned

*Ireland — Magisterial Appointments — Leitrim County*

Amendt. on Committee of Supply *April* 29, To leave out from "That" and add "there be laid before this House, a Copy of the Correspondence between the Lord Chancellor of Ireland and the Lieutenant of the county of Leitrim, relative to the appointment of Messrs. Nathaniel Maguire, Francis M'Keon, and Bernard Maguire to the commission of the peace; with Copies of their qualifications, and the Memorial respecting these appointments presented to the Lord Chancellor by a deputation of Magistrates from the said county" (*Viscount Crichton*), [200] 2089; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn  
Correspondence—*P. P.* 441

*Sub-Sheriff of Monaghan*, Explanation, Colonel Leslie *Mar* 21, [200] 326

*Ireland—Rating*

Moved, "That a Select Committee be appointed to inquire into the operation of the present area of rating within Poor Law Unions in Ireland, with a view to ascertain whether such area of rating might with advantage be extended" (*Mr. Chichester Fortescue*) *June* 13, [201] 2009; after short debate, Debate adjourned

*Ireland—Shannon Navigation—[Grant]*

Considered in Committee *July* 27, [203] 1039  
Moved, "That it is expedient to authorize an Advance of any sum or sums of money, not exceeding £200,000, in part as a free Grant and in part as a Loan, out of the Consolidated Fund of the United Kingdom, to enable the Commissioners of Public Works in Ireland to carry out the provisions of any Act of the present Session for amending and enlarging the powers of the Acts relating to the Navigation of the River Shannon, and for other purposes relating thereto"

After short debate, Committee—*R.P.*

Order for Committee read, and discharged  
*August* 1

*Ireland—Trinity College, Dublin*

Amendt. on Committee of Supply *April* 1, To leave out from "That" and add "this House regards with satisfaction the Memorial lately presented to the Prime Minister by the Provost, Professors, Tutors, and other authorities of Trinity College, Dublin, in favour of united or undenominational academical education in Ireland, and this House is of opinion that it is highly expedient that the Government should, with the least delay possible, give effect to the prayer of this Memorial by introducing a measure which would not only free the Fellowships, Scholarships, and other emoluments and honours of Trinity College, Dublin, from all religious disabilities, but which would further provide that those who are not members of the Established Church

[cont.]

*Ireland—Trinity College, Dublin—cont.*

might, within a reasonable time, obtain an adequate influence in the government of the College" (*Mr. Fawcett*), [200] 1090; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Sir Henry Hoare*); *A.* 96, *N.* 232; *M.* 136

Question again proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Mr. Robert Torrens*); after further short debate, Question put, and agreed to  
Parl. Papers—

Memorials relating to . . . . . 110  
Returns relating to . . . . . 295

[See title *Land Tenure of Ireland—Foreign Countries*]

*Irish Church Act (1869) Amendment Bill*  
(*The Lord Redesdale*)

*L.* Presented; read 1<sup>st</sup> *Mar* 1, [199] 991 (*No.* 23)  
Moved, "That the Bill be now read 2<sup>d</sup>"  
*May* 24, [201] 1268; after short debate, Motion and Bill withdrawn

*Irish College, Paris, and English College, Douay*

Address for, Copies of the award made in the case of the Reverend Paul Long as administrator-general of the Irish College at Paris by the commissioners appointed for liquidation of British claims out of funds received from the French Government, and of the judgment of the English Privy Council in 1832 on the appeal from that award:

Also, Copy of the judgment in 1825 in the appeal case of the English College at Douay (*The Marquess of Clanricarde*) *May* 9, [201] 385; after short debate, Motion agreed to

Motion for, Return of unsettled demands on the funds provided by the Government of France for liquidating the claims of British subjects, and of the balance which remains unappropriated to the liquidation of such claims, including interest thereon; together with copies of Treasury Minutes relating to the surplus fund arising out of the Treaties and Conventions of 1814, 1815, and 1818, between his late Britannic Majesty and the King of France (*The Marquess of Clanricarde*) *May* 12, 572

Return ordered—(*Parl. P.* 198)

*Irish Land Bill—Miscellaneous Questions*

*Farmers' Estate Society*, Question, Mr. Henley; Answer, Mr. Gladstone *Feb* 18, [199] 529

*Land Bills*, Question, Mr. Gathorne Hardy; Answer, Mr. Gladstone *Feb* 24, [199] 768

*Land Ejectments—Mr. Cardwell's Act*, Question, Lord Elcho; Answer, Mr. Chichester Fortescue *Feb* 14, [199] 242; Question, Colonel Barttelot; Answer, Mr. Gladstone *Feb* 22, 687

*Land, Occupation of—Returns from Poor Law Unions*, Question, Mr. Gathorne Hardy; Answer, Mr. Chichester Fortescue *Feb* 14, [199] 234

*Land, Transfer of*, Question, Mr. Pim; Answer, Mr. Gladstone *April* 1, [200] 1048

*Waste Lands*, Question, Mr. J. Howard; Answer, Mr. Gladstone *Mar* 18, [200] 210



**Irish Land Bill**

(*Mr. Gladstone, Mr.*

*Chichester Fortescue, Mr. John Bright*)

199] c. Motion for Leave (*Mr. Gladstone*) *Feb 15*, 333; Bill ordered, after long debate; read 1<sup>o</sup> \*

[*Bill 29*]

. Moved, "That the Bill be now read 2<sup>o</sup>" *Mar 7*, 1373

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bryan*); Question proposed, "That 'now,' &c.;" after long debate, Debate adjourned

. Debate resumed *Mar 8*, 1483; after long debate, Debate further adjourned

. Question, Sir Thomas Bateson; Answer, Mr. Gladstone *Mar 10*, 1632

. Debate resumed *Mar 10*, 1634; after long debate, Debate further adjourned

. Debate resumed *Mar 11*, 1745; after long debate, Question put; A. 442, N. 11; M. 431

Division List, Ayes and Noes, 1853

Main Question put, and agreed to; Bill read 2<sup>o</sup>

. Personal Explanation, Lord Dufferin *Mar 14*, 1857

200] Committee *Mar 28*, 730

[*Part I. Law of Compensation to Tenants*]

Clause 1 (Legality of Ulster tenant-right custom)

Committee R.P.

. Committee *Mar 31*, 999

Clause 1 agreed to

Clause 2 (Legality of tenant-right custom other than Ulster custom)

Committee R.P.

. Committee *April 1*, 1051

Clause 2 agreed to

Clause 3 (Compensation in absence of custom)

Committee R.P.

. Committee *April 4*, 1176

Clause 3—R.P.

Division List, Ayes and Noes, 1272

. Committee *April 5*, 1284

Clause 3—R.P.

. Committee *April 7*, 1433

Clause 3—R.P.

. Committee *April 8*, 1506

Clause 3—R.P.

. Committee *April 28*, 1968

Clause 3

Committee—R.P.

201] Committee *May 2*, 8

Clause 3 (Compensation in absence of custom)

Committee R.P.

. Committee *May 5*, 281

Clause 3; after short debate, Clause, as amended, agreed to

. Clause 4 (Compensation in respect of improvements), 290

Committee R.P.

. Committee *May 6*, 357

Clause 4 agreed to

. Clause 5 (Presumption in respect of improvements), 359

Committee R.P.

[*cont.*

**Irish Land Bill—cont.**

201] Committee *May 9*, 395

. Clause 6 (Compensation in respect of payment to incoming tenant), 395

. Clause 7 (Compensation in respect of crops), 398

. Clause 8 (Limitation as to disturbance in holding), 398

. Clause 9 (Derivative title of tenant), 411

. Clause 10 (Partial exemption of certain tenancies), 411

. Clause 11 (Exemption of certain lands), 411

. Clause 12 (Proceedings by tenant), 415

. Clause 13 (Proceedings by landlord), 419

. Clause 14 (Equities between landlord and tenant), 419

. Clause 15 (Provision in case of derivative estates in the same holding), 429

. Clause 16 (Lease in lieu of compensation), 429

Committee R.P.

. Committee *May 12*, 577

. Clause 17 (Restriction on eviction of tenant), 577

. Clause 18 (Court to mean Civil Bill Court or Court of Arbitration), 581

. Clause 19 (Civil Bill Court), 586

. Clause 20 (Appeal from Civil Bill Court), 594

. Clause 21 agreed to, 597

. Clause 22 ("Limited Owner"), 597

. Clause 23 (Agreement by limited owner), 597

. Clause 24 (Power of limited owner to lease), 598

. Clauses 25 and 26 agreed to, 598

. Clause 27 (Rules for carrying first part of Act into force), 603

[*Part II. Sale of Land to Tenants*]

. Clause 28 (Application to Board of Works for sale of holding), 603

. Clause 29 (Restrictions on sale of holding), 603

. Clause 30 (Sale of holding by Board), 604

. Clause 31 (Payment of purchase money), 605

. Clauses 32 to 36, inclusive, agreed to, 605

. Clause 37 (General powers of Court and Board in conduct of sale of land), 605

. Clause 38 (Rules for carrying second part of Act into effect), 607

Committee R.P.

. Committee *May 16*, 744

[*Part III. Advances by and Powers of Board*]

. Clause 39 (Advances to landlords for compensation for improvements), 744

. Clause 40 (Advances to landlords for improvement of waste lands), 745

. Clause 41 (Advances to tenants for purchase of holdings), 746

Clauses 42 to 65, inclusive, agreed to

. Clause 66 (Special Definitions), 771

Clause 67 agreed to

. Clause 68 (Application of Act), 772

. New Clause (Legality of tenant custom other than Ulster custom), 774

. New Clause (Satisfaction from incoming tenants), 774

. New Clause (Tenant assigning without consent of landlord not to be entitled to compensation), 775

. New Clause (Right to leases renewable for ever), 781

[*cont.*

*Irish Land Bill—cont.*

- 201] New Clause (Right of a tenant to dispose of interest in his holding), 782  
Committee n.p.
- Committee *May 19, 1876*
  - New Clause (Permissive Parliamentary tenant-right), 976
  - New Clause (Lettings in con-acre), 1032  
Committee n.p.
  - Committee *May 23, 1255*
  - New Clause (Court to give judgment as to liability of landlord), 1255
  - New Clause (Application of Act to tenancies created prior to passing of this Act), 1257
  - New Clause (Leases pending sale, &c.), 1257
  - New Clause (Notices to quit served by officers of Civil Bill Court), 1258
  - New Clause (Repeal of section of "Landlord and Tenant Law Amendment (Ireland) Act, 1860"), 1259
  - New Clause (Stamps on notices to quit), 1259
  - New Clause (Regulations prescribed for notices to quit), 1260
  - New Clause (Non-liability for rent for land covered by public roads), 1260
  - New Clause (Abolition of distress for recovery of rent), 1260
  - Preamble, as amended, agreed to  
Bill reported [Bill 137]
  - Moved, "That the Bill be now taken into Consideration" (*Mr. W. E. Gladstone*) *May 26, 1412*
  - Amendt. to leave out from "Bill be" and add "re-committed for the purpose of considering a Clause fixing the increased amount of the additional salaries to be paid to the judges and officers of the Civil Bill Courts in Ireland for the additional duties by this Act imposed upon them" (*Sir Frederick W. Heygate*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill, as amended, considered [Bill 145]
  - Bill read 3<sup>o</sup>, after debate, and passed *May 30, 1599*
  - 1. Read 1<sup>st</sup> (*The Earl Granville*) *May 30*
  - 202] Moved, "That the Bill be now read 2<sup>a</sup>" *June 14, 4* (No. 122)
  - After debate, Amendt. to leave out ("now") and insert ("this day six months") (*The Lord Oranmore and Browne*), 48; after further debate, Debate adjourned
  - Debate resumed *June 16, 183*; after long debate, Debate further adjourned
  - Debate resumed *June 17, 322*; after short debate, Bill read 2<sup>a</sup>
  - Protest against the Second Reading, 381
  - Moved, "That the House do now resolve itself into Committee" *June 23, 741*; after short debate, Motion agreed to; Committee

[Part I. *Law of Compensation to Tenants*  
*Claim to Compensation*

- Clause 1 (Legality of Ulster tenant-right custom), 745
- Clause 2 (Legality of tenant custom other than Ulster custom), 755

[cont.

*Irish Land Bill—cont.*

- 202] Clause 3 (Compensation in absence of custom), 757
- Division Lists, Conts. and Not-Conts. 766, 772
  - Committee *June 24, 859*
  - Clause 3 (Compensation in absence of custom) again read, 859
  - Division List, Cont. and Not-Cont. 889
  - Committee *June 27, 954*
  - Clause 4 (Compensation in respect of improvements. Exception of certain improvements. Exception of certain tenancies)
  - Clause 5 (Presumption in respect of improvements), 967
  - Division List, Cont. and Not-Cont. 988
  - Clause 6 (Compensation in respect of payment to incoming tenant), 988
  - Clause 7 (Compensation in respect of crops) agreed to
  - Clause 8 (Limitation as to disturbance in holding), 993
  - Clause 9 (Exception in case of lands required for labourers' cottages), 997
  - Committee *June 28, 1052*
  - Clause 10 (Derivative title of tenant), 1053
  - Clause 11 (Partial exemption of certain tenancies), 1053
  - Clause 12 (Exemption of certain lands), 1060
  - Proceedings in respect of Claims*
  - Clause 13 (Proceedings by tenant), 1060
  - Clause 14 (Proceedings by landlord), 1061
  - Clause 15 (Equities between landlord and tenant), 1064
  - Clause 16 (Provision in case of derivative estates in the same holding), 1065
  - Clause 17 (Restriction on eviction of tenant), 1066
  - Court to award Compensation*
  - Clause 18 (Court to mean Civil Bill Court, or the Court of Arbitration), 1066
  - Clause 19 (Civil Bill Court), 1066
  - Clause 20 (Appeal from Civil Bill Court), 1067
  - Clause 21 (Court of Arbitration) agreed to

*Powers of Limited Owners*

- Clauses 22 and 23 agreed to
- Clause 24 (Power of limited owner to lease), 1068
- Clauses 25 to 27, inclusive, agreed to
- [Part II. *Sale of Land to Tenants*]
- Clauses 28 to 37, inclusive, agreed to

[Part III. *Advances by and Powers of Board*]

- Clauses 38 and 39 agreed to
- Clause 40 (Advances to tenants for purchase of holdings), 1069
- Clause 41 (Advances of tenants for purchases of holdings in Landed Estates Court), 1079
- Clause 42 (Landed Estates Court to afford facilities for purchase by occupying tenants), 1084

[Part IV. *Supplemental Provisions*]

- Clauses 43 to 52, inclusive, agreed to
- As to legal Proceedings and Court*
- Clause 53 (Duty on notice to quit) agreed to, with an Amendment, 1084
- Clause 54 (Regulations as to notice to quit), 1085

[cont.



*Irish Land Bill—cont.*

## [Part V. Miscellaneous]

Clauses 55 to 65, inclusive, agreed to

- 202] Clause 66 (Distress), 1085  
 . Clause 67 (General definitions) agreed to, 1086  
 . Clause 68 (Special definitions), 1086  
 . Clauses 69 and 70 agreed to, 1087 (No. 168)

. Report *July 5*, 1428

- . Clause 1 (Legality of Ulster tenant-right custom), 1428  
 . Clause 3 (Compensation in absence of custom), 1428

- . Division List, Cont. and Not.-Cont. 1444  
 . Clause 5 (Presumption in respect of improvements), 1448

- . Clause 7 (Compensation in respect of payment to incoming tenant), 1451

- . Clause 10 (Exception in case of lands required for labourers' cottages), 1452

- . Clause 19 (Restriction on eviction of tenant), 1453

- . Clause 68 (Special definitions), 1454 (No. 184)  
 Protest against the Report

; Bill read 3<sup>a</sup>, after short debate *July 8*, 1695;  
 after further debate, Moved, That the Bill do  
 pass? objected to; on Question, agreed to;  
 Bill passed, and sent to the Commons

- 203] *c.* Lords Amendts. considered *July 12*, 118  
 After long debate, further consideration of  
 Lords Amendts. deferred (No. 204)

. Lords Amendts. further considered *July 12*, 167  
 Committee appointed, "to draw up Reasons  
 to be assigned to the Lords for disagreeing to  
 the Amendts. to which this House hath dis-  
 agreed"

Reasons for disagreeing to Lords Amendts. re-  
 ported, and agreed to

- l.* Commons Amendts. to Lords Amendts. and  
 Commons Reasons for disagreeing to some  
 of the Amendts. made by the Lords, con-  
 sidered *July 15*, 331 (No. 203)

Amendts. and Reasons read by the Clerk  
 Moved, not to insist on the Amendts. in page 2,  
 lines 31, 32, 33, and 35, to which the Com-  
 mons have disagreed (*The Earl Granville*)

After short debate, on Question, Whether to  
 insist? resolved in the negative

- . Commons Amendt. to insert in page 3, line 13,  
 after ("rent") the words ("not exceeding  
 three years' rent") disagreed to, 333

Commons Amendt. relating to the provision  
 respecting conacre, amended, and agreed to  
 Then it was moved, not to insist on the Amendt.  
 in page 4, line 1, to which the Commons have  
 disagreed—namely, to leave out ("twenty-  
 one") and insert ("thirty-one"); on Ques-  
 tion, Whether to insist? resolved in the  
 negative

Commons Amendts. in clause relating to pre-  
 sumption of improvements agreed to.

Clause "A," (Permissive registration of im-  
 provements); after short debate, on Question?  
 agreed to

Clause 8 (Limitation as to disturbance in  
 holding)

Moved, not to insist on the Amendts. made by  
 their Lordships in this clause to which the  
 Commons have disagreed

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*Irish Land Bill—cont.*

- 203] After short debate, on Question, Whether to  
 insist? resolved in the affirmative

Committee appointed to prepare Reasons to be  
 offered to the Commons for the Lords dis-  
 agreeing to some of the said Amendts.: The  
 Committee to meet forthwith; Report from  
 the Committee of the Reasons; read, and  
 agreed to; and a message sent to the Com-  
 mons to return the said Bill, with Amendts.  
 and Reasons

- c.* Lords Amendts. to Commons Amendts. to  
 Lords Amendts., and Lord Reasons for dis-  
 agreement to certain Amendts. considered  
*July 21*, 661 [Bill 221]

New Clause (A), (Permissive registration of  
 Improvements)

An Amendt. agreed to; another disagreed to

Committee appointed, "To draw up Reasons to  
 be assigned to the Lords for disagreeing to  
 the Amendt. made by the Lords to the  
 Amendt. made by this House to Clause (D),  
 to which this House hath disagreed"

Reasons for disagreeing to the Amendt. made  
 by the Lords to the Amendt. made by this  
 House to Clause (D) reported, and agreed to

- l.* Commons Amendt. to Lords Amendts. and  
 Commons Reasons for disagreeing to one of  
 the Amendts. made by the Lords to the  
 Amendts. made by the Commons to the  
 Amendts. made by the Lords considered  
*July 25*, 819

Question postponed; afterwards, Debate re-  
 sumed; after short debate, other Amendts.  
 agreed to

Their Lordships' Amendt. in Clause D to which  
 the Commons disagree insisted on; and a  
 Committee appointed to prepare Reasons to  
 be offered to the Commons for the Lords  
 insisting on the said Amendt.

- . Report from the Committee appointed to pre-  
 pare Reasons to be offered to the Commons  
 for the Lords insisting on one of their  
 Amendts. to which the Commons have dis-  
 agreed, read, and agreed to; and a message  
 sent to the Commons to return the said  
 Bill, with Amendts. and Reasons *July 26*, 948

- c.* Lords Amendts. to Commons Amendts. to  
 Lords Amendts., and Reasons assigned by  
 the Lords for insisting on their Amendt. to  
 the Amendts. made by this House to the  
 Amendts. made by their Lordships, con-  
 sidered

Lords Amendts. to Commons Amendt. to Lords  
 Amendts. agreed to.

Resolved, That this House doth not insist upon  
 its disagreement to the Amendt. made by the  
 Lords to the Amendts. made by this House  
 to the Amendts. made by their Lordships  
 upon which their Lordships insist *July 28*

- l.* Royal Assent *August 1* [33 & 34 Vict. c. 46]

[See titles *Landlords and Tenants in Eng-  
 land and Scotland—Land Tenure of  
 Ireland—Foreign Countries*]

*Irish Land Bill*—cont.

Parl. Papers—

COMMONS—  
 Leave . . . . . [Bill 29]  
 As amended in Committee . . . [Bill 137]  
 As amended on Consideration . . [Bill 145]  
 Lords Amendts. . . . . [Bill 204]  
 Lords Amendts. with Reasons . . . . . [Bill 221]

LORDS—  
 First Reading . . . . . (No. 122)  
 As amended in Committee . . . (No. 168)  
 As amended on Report . . . . (No. 184)  
 Lords Amendts. with Commons Amendts. and Reasons . . . . . (No. 208)  
 Commons Amendts. to Lords Amendts. and Reasons . . . . . (No. 234)

*Irish Land Bill* [H.L.]

(*The Earl of Longford*)

l. Presented; read 1<sup>st</sup> *May* 27 (No. 113)

JACKSON, Mr. R. Ward, *Hartlepool*

Merchant Seamen—The “Greenwich Sixpence,” [199] 585

*Jamaica*—*The late G. W. Gordon*

Question, Sir Charles W. Dilke; Answer, Mr.

Gladstone *April* 4, [200] 1169

*Seizure of the Schooner “La Have,”* Question,

Mr. Serjeant Simon; Answer, Mr. Monsell  
*August* 2, [203] 1407

JAMES, Mr. H., *Taunton*

Elementary Education, Comm. Schedule II,  
 [203] 298

Foreign Enlistment, Comm. cl. 9, [203] 1510

Judicial Committee, Comm. [203] 1715; cl. 2,  
 1720, 1722

Parliamentary Elections, Leave, [201] 452

*Japan*—*Native Christians*

Question, Mr. White; Answer, Mr. Otway  
*Mar* 18, [200] 203

*Japan*, Parl. Papers—Silk Culti-

vation . . . . . [27, 72, 194]

Affairs in . . . . . [129]

JENKINSON, Sir G. S., *Wiltshire, N.*

Belgium—Independence of, [203] 1571

Capital Sentences (Revision and Commutation),

Leave, [200] 423; 2R. [202] 727, 735

Carrriages, Duty on, [201] 970

Commutation of Capital Sentences, [200] 420;

—Case of Jacob Spinasa, 2098

Consolidated Fund (Appropriation), Comm.

[203] 1591

Elementary Education, Comm. cl. 65, [203]  
 61; Schedule II, 314; Consid. add. cl. 487,  
 489

Game Laws Abolition, 2R. [203] 561

Gibraltar—Rumoured Cession of, [200] 423

Gun Licences, 2R. [201] 1681; Consid. [203]  
 698

JENKINSON, Sir G. S.—cont.

Ireland—Fenian Convicts, Released, [199] 687

Tipperary Election—Jeremiah O'Donovan  
 Rossa, [199] 142, 150

Irish Land, Comm. cl. 3, [200] 1064, 1323,

1332, 1435, 1538; cl. 41, Amendt. [201]

760, 771; Lords' Amendts. [203] 667

Local Taxation, Motion for a Committee, [199]

660

Malt Tax, Res. [199] 1266

Revenue Officers, Motion for a Committee,

[199] 705

Turnpike Roads, Res. [200] 858, 871

Turnpike Trusts, [202] 1619

Turnpikes, Abolition of, [199] 592

Women's Disabilities, 2R. [201] 234

JERVIS, Colonel H. J. W., *Harwich*

East India Company, Motion for an Address,  
 [202] 1162

JESSEL, Mr. G., *Dover*

Ecclesiastical Titles Act Repeal, 2R. [203]  
 1542

Elementary Education, Comm. cl. 27, [202]  
 1422

Felony, 2R. [200] 935

Foreign Enlistment, Comm. [203] 1504

Irish Land, Comm. cl. 1, [200] 773; cl. 3,

1060, 1073; [201] 37; Consid. add. cl. 1439

Naturalization, Comm. cl. 10, [200] 1742

Pilotage, 2R. [199] 773

Stamp Duty on Leases, Comm. cl. 1, [201] 1985

Supply—Courts of Justice, New, [203] 1471

University of London, [203] 1141

University Tests, Comm. cl. 5, [201] 1979

Jewish United Synagogues Bill

(*Mr. William Edward Forster, Mr. Secretary  
 Bruce*)

c. Ordered; read 1<sup>st</sup> *May* 30 [Bill 151]

Read 2<sup>nd</sup> *June* 9

Committee\*; Report *June* 10

Read 3<sup>rd</sup> *June* 13

l. Read 1<sup>st</sup> (*The Lord President*) *June* 14

Read 2<sup>nd</sup> *June* 17 (No. 137)

Committee\*; Report *June* 23

Read 3<sup>rd</sup> *June* 24

Royal Assent *July* 14 [33 & 34 *Vict. c.* 116]

JOHNSTON, Mr. A., *Essex, S.*

Charitable Trusts Act, [201] 1767

Metropolis—Waterside Cattle Market, [200]  
 1551

Parliament—Business of the House, Res. [202]  
 1554

Poaching Prevention Act Repeal, 2R. [202]  
 1566

Supply—Charity Commission, [203] 369

Copyhold, Inclosure, and Tithe Commission,  
 Amendt. [203] 371

JOHNSTON, Mr. W., *Belfast*

Education of the Blind, &c. 2R. [201] 249

Elementary Education, Comm. cl. 55, [202]  
 1675

Ireland—Questions, &c.  
 Municipal and Parliamentary Franchise,  
 [199] 330



JOHNSTON, Mr. W.—*cont.*

- Party Processions Act, [199] 173  
 Tipperary Election—Jeremiah O'Donovan  
 Rossa, [199] 142, 143  
 Irish Land, Comm. cl. 1, [200] 780; Amendt.  
 783, 787; Amendt. 1014, 1024; cl. 6, [201]  
 397  
 Municipal Franchise (Ireland), [202] 1305  
 Party Processions (Ireland), 2R. [200] 938  
 Peace Preservation (Ireland), Comm. cl. 13,  
 [200] 586; cl. 27, 652  
 Processions (Ireland), 2R. Amendt. [202] 1681

JOHNSTONE, Sir H., *Scarborough*

- Metropolis—Hyde Park—Rotten Row, [200]  
 831  
 Spain—Imprisonment of a British Sailor at  
 Barcelona, [199] 885

## Joint Stock Companies' Arrangement Bill

(Mr. Henry B. Sheridan, Mr. Serjeant Simon,  
 Mr. Brogden)

- c. Ordered; read 1<sup>o</sup> \* May 25 [Bill 143]  
 Read 2<sup>o</sup> \* June 22  
 Committee; Report August 4, [203] 1569  
 Considered \*; read 3<sup>o</sup> August 5  
 l. Read 1<sup>o</sup> \* (The Lord Cairns) August 6 (No. 302)  
 Read 2<sup>o</sup> \*; Committee negatived August 8  
 Read 3<sup>o</sup> \* August 9  
 Royal Assent August 10 [33 & 34 Vict. c. 104]

JONES, Mr. J., *Carmarthenshire*

- Welsh Fasting Girl, Case of the, [202] 1304

## Judges Jurisdiction Bill

(The Lord Chancellor)

- 199] l. Presented; read 1<sup>a</sup>, after debate Feb 18,  
 504 (No. 10)  
 Read 2<sup>a</sup> \* Feb 24  
 Committee Feb 28, 875 (No. 20)  
 Report Mar 1, 992 (No. 25)  
 Read 3<sup>a</sup> \* Mar 3  
 c. Read 1<sup>o</sup> \* Mar 4 [Bill 60]  
 Read 2<sup>o</sup> \* Mar 7  
 Committee \*; Report Mar 18  
 Considered \* Mar 21  
 Read 3<sup>o</sup> \* Mar 22  
 l. Royal Assent Mar 25 [33 Vict. c. 6]

## Judicial Committee Bill [H.L.]

(The Lord Chancellor)

- l. Presented; read 1<sup>a</sup> \* July 14 (No. 212)  
 203] Read 2<sup>a</sup>, after short debate July 18, 402  
 Committee, after short debate July 21, 624  
 Report \* July 22 (No. 224)  
 Read 3<sup>a</sup>, after short debate July 25, 865  
 Moved, to insert the following clause at the end  
 of the Bill:—"This Act shall continue in  
 force until the first day in January one  
 thousand eight hundred and seventy-three,  
 and shall then cease and determine, subject  
 and without prejudice to any appointment  
 made or salary granted thereunder previous  
 to the date" (The Lord Cairns); on Question?  
 Cont. 16, Not-Cont. 27; M. 11; resolved in the  
 negative; Bill passed  
 c. Read 1<sup>o</sup> \* July 28 [Bill 249]  
 Read 2<sup>o</sup>, after short debate August 5, 1668

[*cont.*]

Judicial Committee Bill—*cont.*

- Order for Committee read; Moved, "That Mr.  
 Speaker do now leave the Chair" August 8,  
 [203] 1706  
 Amendt. to leave out from "That" and add  
 "this House will, upon this day three months,  
 resolve itself into the said Committee" (Mr.  
 Wakin Williams); after short debate, Question  
 put, "That the words, &c.;" A. 64,  
 N. 45; M. 19; main Question, "That Mr.  
 Speaker, &c.," put, and agreed to; Committee;  
 an Amendt. moved (Mr. Secretary  
 Bruce); on Question, A. 38, N. 36; M. 2;  
 [No Report]

## Judicial Committee of the Privy Council

- Moved, "That an humble Address be presented  
 to Her Majesty praying that immediate provision  
 may be made for the more rapid despatch of  
 business before the Judicial Committee" (The  
 Lord Westbury) July 1, [202] 1283; after debate,  
 Motion withdrawn

Judicial Sentences—Commutation of—see  
Criminal Sentences; Criminal Law

## Juries Bill

(Viscount Enfield, Mr. Denman, Mr. Headlam)

- c. Motion for Leave (Viscount Enfield) Feb 16,  
 [199] 408; Bill ordered; read 1<sup>o</sup> \* [Bill 32]  
 Bill read 2<sup>o</sup>, after debate, and committed to a  
 Select Committee April 6, [200] 1414  
 And, on May 6, Committee nominated as follows:  
 —Viscount Enfield (Chairman), Mr. Amphlett,  
 Mr. Richard Bright, Sir Hervey Bruce, Mr. Cross,  
 Mr. Donald Dalrymple, Mr. Denman, Mr. Dickinson,  
 Mr. Wilbraham Egerton, Mr. Floyer, Mr. Gordon,  
 Mr. Headlam, Mr. Henry Herbert, Mr. Lusk, Mr.  
 Hanbury-Tracy, Mr. Welby, and Mr. Adolphus  
 Young  
 Report of Select Committee \* June 27 P.P. 306  
 Committee \*—R.P. July 6 [Bill 182]  
 Re-comm. \*; Report July 7  
 Considered \* July 13  
 Read 3<sup>o</sup> \* July 14  
 l. Read 1<sup>a</sup> \* (The Lord Romilly) July 15  
 Read 2<sup>a</sup> \* July 21 (No. 213)  
 Committee \* July 26 (No. 246)  
 Report \* August 2  
 Read 3<sup>a</sup> \* August 4  
 Royal Assent August 9 [33 & 34 Vict. c. 77]

## Justices of the Peace Qualification Bill

[H.L.] (The Earl of Albemarle)

- l. Presented; read 1<sup>a</sup> \* May 2 (No. 77)  
 Bill withdrawn \* May 10

KAVANAGH, Mr. A. M., *Carlow Co.*

- Ireland—Press, The, [200] 72  
 Union Rating, [200] 721  
 199] Irish Land, 2R. 1406, 1411  
 200] Comm. cl. 3, 1244, 1453; Amendt. 1458,  
 1471, 1507, 1523; Amendt. 1989, 2002,  
 2017, 2019  
 201] cl. 3, Amendt. 30; cl. 4, Amendt. 293;  
 Amendt. 318; add. cl. 775, 779  
 203] Lords Amendts. 123  
 Peace Preservation (Ireland), 2R. [200] 469

KAY-SHUTTLEWORTH, Mr. U. J., *Hastings*  
Elementary Education, 2R. [199] 2016; Comm.  
*cl. 9*, [202] 1220; *cl. 82*, [203] 91

*Keeble College—Charter to the*  
Question, Mr. Vernon Harcourt; Answer,  
The Solicitor General *June 13*, [201] 1941

KEKEWICH, Mr. S. T., *Devonshire, S.*  
Poor Law—Returns of Pauperism, [202] 1005

KENNAWAY, Mr. J. H., *Devonshire, E.*  
Elementary Education, [202] 998; Comm.  
*cl. 46*, Amendt. 1661, 1667  
Permissive Prohibitory Liquor, 2R. [203] 184

Kensington Road Improvement Bill  
(*Mr. Ayrton, Mr. Stansfeld*)

c. Ordered; read 1<sup>o</sup> \* *May 16* [Bill 128]  
Read 2<sup>o</sup>, \* and referred to a Select Committee  
*May 20*  
Select Committee discharged \* *May 24*  
Question, Sir Henry Hoare; Answer, Mr.  
Ayrton *June 20*, [202] 486; Question, Viscount  
Milton; Answer, Mr. Ayrton *June 22*, 714  
Papers relating to . . . . P. P. 272

KEOWN, Mr. W., *Downpatrick*  
Ireland—Bankruptcy Laws, [199] 879, 1364

KIMBERLEY, Earl of (Lord Privy Seal)  
*afterwards* († Secretary of State for  
the Colonies)

† Army Enlistment, 3R. [203] 1517  
† British Columbia, 2R. [203] 393, 394  
† Canada—Canadian Volunteers, Res. [203] 713,  
715, 716  
Churchwardens Eligibility, 2R. [199] 1603  
Ecclesiastical Titles Act Repeal, 2R. [201]  
1469, 1491; Comm. [202] 1301; † Commons'  
Amendts. [203] 1684  
† Gambia—Transfer of, to the French, [203] 342  
† Gas and Water Facilities, Comm. [203] 622  
† Glebe Loans (Ireland), 3R. [203] 1682  
Habitual Criminals, [200] 568  
202] Irish Land, 2R. 83, 89; Comm. *cl. 3*, 758, 770,  
771, 774, 776, 777, 778, 877; *cl. 4*, 956, 957,  
959, 960, 964, 966; *cl. 5*, 986; *cl. 6*, 993;  
*cl. 12*, 1054, 1055, 1057; *cl. 40*, 1069; *cl. 42*,  
1084; Report, *cl. 3*, Amendt. 1429, 1430;  
*cl. 10*, 1452; *cl. 19*, 1453; *cl. 42*, 1454; 3R.  
1703, 1708  
† Life Assurance Companies, 2R. [203] 393  
Marriage with a Deceased Wife's Sister, 2R.  
[201] 918  
National Gallery, Motion for Returns, [200]  
317  
Naturalization, Comm. *cl. 6*, [199] 1616  
Parliament—Public Business, [199] 419  
Peace Preservation (Ireland), 2R. [200] 817;  
Comm. *cl. 25*, 877; *cl. 38*, 981  
Pier and Harbour Orders Confirmation, Comm.  
[202] 622, 624  
Poor Relief (Metropolis), 2R. [201] 1049, 1053  
Street Tramways, [199] 117  
Sunday Trading, Comm. *cl. 2*, Amendt. [199]  
872; *cl. 3*, Amendt. 873

KIMBERLEY, Earl of—*cont.*

Tramways, 2R. [201] 1590, 1592; † Comm.  
[203] 233  
† University Tests, Nomination of Committee,  
[203] 631, 632

KING, Hon. P. J. Locke, *Surrey, E.*  
Lords Spiritual, Leave, [202] 681  
Metropolis—Subway to Palace Yard, [199] 583  
Parliament—Bills in progress, [203] 1284  
Revision of the Statutes, [199] 763

KINGSCOTE, Colonel R. N. F., *Gloucester-*  
*shire, W.*  
Army—Coldstream and Fusilier Guards,  
[201] 5

*King's Lynn Election*

Question, Lord Claud John Hamilton; Answer,  
Mr. Bruce *July 4*, [202] 1357

KINNAIRD, Lord

Coinage, Motion for Returns, [200] 199  
Coinage, 2R. [200] 201; Comm. Amendt. 413,  
418; *cl. 8*, 419; Report, 562  
Metalliferous Mines, 1R. [199] 408; 2R. [200]  
163  
Mines, Regulation of, Report, [199] 323  
Parliament—Public Business, [199] 423  
Royal Mint, Motion for Returns, [199] 425,  
426; Motion for a Committee, [203] 382,  
389, 390

KINNAIRD, Hon. A. F., *Perth*

Bible (Authorized Version), Motion for an Ad-  
dress, [202] 121  
Cape of Good Hope—Transvaal Republic and  
Orange Free State, [203] 900  
Clerical Disabilities, Lords' Amendts. [203] 1726  
Coinage, Leave, [199] 155; Comm. *cl. 7*, 1728,  
1729  
Conventual and Monastic Institutions, Motion  
for a Committee, [200] 905, 1598; Nomina-  
tion of Committee, [201] 79  
County Government, Res. [201] 1868  
Diplomatic and Consular Services, Res. [199]  
550  
East India (Laws and Regulations), 2R. [199]  
563  
East India (Opium Revenue), Res. [201] 514  
East India Revenue Accounts, Comm. [203]  
1660  
Ecclesiastical Titles Act Repeal, Comm. *cl. 2*,  
[203] 1595  
Emigration, Res. [199] 1040  
Epping Forest, Motion for an Address, [199]  
253  
False Weights and Measures, Res. [201] 1522  
Game Laws, Res. [201] 1909  
Game Laws (Scotland), 2R. [200] 61  
Gun Licences, 3R. [203] 767  
India—Public Works, [200] 206  
Judicial Committee, Comm. [203] 1716  
Liberated Slaves, [203] 1770  
Life Assurance Companies, 2R. [199] 754  
Lord Privy Seal, Office of, Res. [203] 892  
Malta—Council of Government, [200] 2058  
Mines Regulation, &c. 2R. [199] 635  
National Gallery, &c.—Evening Admission,  
Res. [201] 333, 341



KINNAIRD, Hon. A. F.—*cont.*

- Naturalization, Comm. *cl.* 10, [200] 1740  
 Parliament—Appropriation of Seats—Bridgwater and Beverley, [202] 1613  
 Parliament—Sittings of the House, Res. [202] 712  
 Parochial Schools (Scotland), [200] 307  
 South Seas—Deportation of Natives, [200] 1427  
 Stamp Duty on Leases, [199] 836 ; 2R. 1464  
 Supply—Civil Service Estimates, [199] 1573  
 Embassies and Missions Abroad, [203] 1225  
 Grants for Civil Services, [199] 1956  
 Ways and Means, [200] 1734

KIRK, Mr. W., *Newry*

- Irish Land, Consid. *add. cl.* [201] 1420, 1437

KNATCHBULL-HUGESSEN, Mr. E. H. (Under Secretary of State for the Home Department), *Sandwich*

- Commons and Waste Lands, [199] 1366  
 Commons Inclosure, 2R. [201] 1911  
 County Administration, [199] 245  
 Habitual Criminals Act, [201] 628  
 Highway Boards, [199] 1238  
 Inclosure, 2R. Amendt. [203] 1557  
 Metropolis—Southwark Park, [203] 251  
 New Romney, [200] 832  
 Pilotage, 2R. [199] 777  
 Submarine Cables and the Admiralty, [201] 629  
 Suburban Commons, 2R. [201] 562  
 Turnpike Accounts, [199] 530  
 Turnpike Acts Continuance, [203] 802  
 Turnpike Roads, Res. [200] 868  
 Turnpike Tolls, [199] 174 ; Res. 553  
 Turnpikes, Abolition of, [199] 592

KNIGHT, Mr. F. W., *Worcestershire, W.*

- Alleged Bribes to Members of Parliament, [200] 212  
 Army—Evesham Rifle Corps, Res. [203] 790  
 Game Laws Amendment, 2R. [200] 5  
 Irish Land, Comm. [200] 730  
 Life Assurance Companies, Comm. *cl.* 13, [202] 1187  
 Supply—Natural History Museum, [203] 1476

KNIGHTLEY, Sir R., *Northamptonshire, S.*

- Conventual and Monastic Institutions, Motion for a Committee, [200] 2031  
 Elementary Education, Comm. [202] 849 ; *cl.* 5, 1018 ; *cl.* 9, 1223 ; *cl.* 65, 1745

KNOX, Hon. Colonel W. Stuart, *Dungannon*

- Army—Military Mismanagement, [200] 571, 572  
 Secretary of State for War, [200] 322  
 Army—Staff Appointments, Res. [201] 1824  
 Army Enlistment, Comm. *cl.* 4, [203] 460, 462  
 Army Estimates—Miscellaneous Expenses, [203] 431  
 Bridgwater and Beverley Disfranchisement, 2R. Amendt. [200] 1798  
 County Coroners (Ireland), 2R. [201] 558  
 Election Prosecutions, Fees on, [199] 1142  
 Elementary Education, Comm. *cl.* 55, [202] 1676  
 Glebe Loans (Ireland), 2R. [203] 972

[*cont.*]KNOX, Hon. Colonel W. Stuart—*cont.*

- Ireland—Derry Celebrations, The, [203] 1275  
 Military Preparations in, [203] 410  
 Repression of Outrages, [199] 1150  
 Ireland—Coote, Captain, Case of, Res. [199] 1918  
 Ireland—Madden, Mr., Case of, Motion for Papers, Motion for Adjournment, [200] 930  
 Ireland—Magisterial Appointments, Motion for Papers, [200] 2091  
 Irish Land, Comm. *cl.* 2, [200] 1035 ; Motion for reporting Progress, 1039, 1044 ; *cl.* 3, 1065, 1326, 2014 ; *add. cl.* [201] 778 ; Lords' Amendts. [203] 129  
 Party Processions (Ireland), Comm. [203] 167  
 Peace Preservation (Ireland), Comm. [200] 576, 578  
 Processions (Ireland), 2R. [202] 1690

LACON, Sir E. H. K., *Norfolk, N.*

- Army—Promotion—The 17th Foot, [203] 250

LAIRD, Mr. J., *Birkenhead*

- Consolidated Fund (Appropriation), Comm. [203] 1590  
 Elementary Education, Comm. *add. cl.* [203] 266, 268 ; Consid. *cl.* 27, 499  
 Navy—Iron-clads, New, [203] 635  
 Navy Estimates—Dockyards, &c. [199] 1316, 1320

LAMBERT, Mr. N. G., *Buckinghamshire*

- Crimean War, Cost of the, [203] 1574  
 First Lord of the Treasury, Salary of, [203] 784  
 Metropolis—Temple Bar, [203] 1518  
 National Debt, Res. [202] 1494  
 National Gallery—Turner Collection, [202] 382

*Lancashire Magistrates—Appointment of*

- Question, The Earl of Devon ; Answer, Lord Dufferin May 24, [201] 1270 ; Question, Mr. Assheton Cross ; Answer, Mr. Gladstone May 30, 1595

LANCASTER, Mr. J., *Wigan*

- Mines Regulation, &c. 2R. [199] 625

*Land Improvements, Loans for*

- Question, Mr. White ; Answer, Mr. Stansfeld Feb 24, [199] 765  
 Advances—1846 to 1869 . . P. P. 435

*Landlords and Tenants in England and Scotland—Agricultural Improvements*

- Moved, That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to direct that through the instrumentality of the Poor Law Board, or such other department as may be most convenient, the same queries (with proper modifications) may be issued touching the relations of Landlords and Tenants in England and Scotland which have been issued to the Poor Law Inspectors in Ireland relating to Agricultural Improvements in Ireland, and the answers to which have been

[*cont.*]

*Landlords and Tenants in England and Scotland*  
—cont.

laid before both Houses of Parliament in the present Session, and that the answers to such queries so to be issued may be communicated to this House (*The Lord Oranmore and Browne*) *Mar* 10, [199] 1619; after short debate, on Question ? resolved in the negative

*Land Tenure of Ireland—Foreign Countries*

Moved, for Copies of all Returns recently received by Her Majesty's Government from Poor Law and other official persons in Ireland as to the tenure, occupation, and improvement of Land, and the condition of Agricultural Labourers in that country :

Address for Copies of any Reports received from Her Majesty's diplomatic servants or consuls abroad as to the tenure and occupation of Land in Foreign Countries (*Lord Cairns*) *Feb* 17, [199] 413; Motion agreed to—  
Land Tenures (Europe) Reports, 1869—  
Pt. 1 [66]; Pt. 2 [75]

*Land Tenure on the Continent*, Question, Mr. Whitwell; Answer, Mr. Otway *Mar* 7, [199] 1373

*Land Transfer Act*

Question, Mr. Cubitt; Answer, Mr. Bruce *July* 19, [203] 484

LANGTON, Mr. W. H. P. GORE-, *Somersetshire, W.*

Cattle Disease, [202] 1617

LANDSDOWNE, MARQUESS OF (Lord of the Treasury)

Coinage, Motion for Returns, [200] 200

Coinage, 2R. [200] 200; Comm. 412, 413, 417; cl. 8, 419; Report, 561, 563

Ireland—Rivers Shannon and Suck, Motion for a Paper, [199] 874

Irish College, &c. Paris, Address for Papers, [201] 388, 389, 572

Irish Land, 2R. [202] 358; Comm. cl. 5, 980

Marriage with a Deceased Wife's Sister, 2R. [201] 911

Metropolis—Courts of Justice, New, [203] 1761  
Public Offices, New, [200] 1279

Royal Mint, Motion for Returns, [199] 426; Motion for a Committee, [203] 387, 391

Southwark Park, &c. [203] 1685

Wellington, Duke of—Monument, Motion for Papers, [200] 1281

**Larceny Advertisements Bill**

(Mr. Attorney General, Mr. Solicitor General)

c. Ordered; read 1<sup>o</sup> \* *June* 10 [Bill 159]

Read 2<sup>o</sup> \* *June* 16

Committee\*; Report *June* 20

Read 3<sup>o</sup> \* *June* 23

l. Read 1<sup>a</sup> \* (*The Lord Chancellor*) *June* 24

Read 2<sup>a</sup> \* *August* 4 (No. 158)

Committee\*; Report *August* 5

Read 3<sup>a</sup> \* *August* 6

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Metropolis—Thames Embankment, Motion for an Address, [202] 1782

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National Debt, Res. [202] 1510

National Gallery, &c.—Evening Admission, Res. [201] 350

Naturalization, Comm. cl. 10, [200] 1740, 1741

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LENNOX, Lord H. G. C. G., *Chichester*  
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LESLIE, Colonel C. P., *Monaghan Co.*  
Ireland—Sub-Sheriff of Monaghan, Explana-  
tion, [200] 326  
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1884

LEWIS, Mr. Harvey, *Marylebone*  
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[202] 1621  
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LEWIS, Mr. J. D., *Devonport*  
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Navy Estimates—Dockyards, &c. [199] 1303  
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*Licensing Amendment Bill*  
Question, Mr. Carter; Answer, Mr. Bruce  
Feb 21, [199] 586; Question, Mr. Hibbert;  
Answer, Mr. Gladstone Mar 31, [200] 999

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Observations, Mr. Bruce; short debate thereon  
May 2, [201] 84

LICHFIELD, Earl of  
Irish Land, 2R. [202] 343; Comm. cl. 2, 757;  
cl. 3, Amendt. 768, 769, 771, 772, 780, 867,  
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Medical Act Amendment, Comm. [202] 1201;  
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LICHFIELD, Bishop of  
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LIDDELL, Hon. H. G., *Northumberland, S.*  
Army Enlistment, Consid. [203] 695  
Ballot, Leave, [199] 277; 2R. [200] 36, 41  
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China—Upper Yangtze River, [200] 1602  
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- Customs and Inland Revenue, 2R. [201] 1630  
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 . Amendt. 1007; *cl.* 7, 1034; *cl.* 8, 1113;  
 . *cl.* 9, 1221; *cl.* 26, 1326; *cl.* 29, 1478;  
 . *cl.* 45, 1493, 1644; *cl.* 65, 1717  
 203] 63; *cl.* 82, 92; *add. cl.* 261; Schedule II,  
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 ment—Conveyance of Troops, [203]  
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 Supply—Grants for Civil Services, [199] 1955  
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 Truck Acts, Motion for a Commission, [203]  
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 Ways and Means—Financial Statement, [200]  
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**Life Assurance Companies Bill**

(*Mr. Stephen Cave, Sir Thomas Basley, Mr.  
 Russell Gurney*)

- c.* Ordered; read 1<sup>o</sup> \* *Feb* 9 [Bill 2]  
 Bill read 2<sup>o</sup>, after long debate *Feb* 23, [199]  
 719  
 Committee \*—R.P. *Mar* 2  
 Committee; Report *June* 29, [202] 1170  
 Considered \* *July* 4  
 Read 3<sup>o</sup> \* *July* 5  
 Lords Amendts. [Bill 250]  
 2. Read 1<sup>a</sup> \* (*Duke of Richmond*) *July* 7 (No. 190)  
 Read 2<sup>a</sup>, after short debate *July* 18, [203] 391  
 Committee \* *July* 22 (No. 239)  
 Report \* *July* 25  
 Read 3<sup>a</sup> \* *July* 28  
 Commons Amendts. to  
 Lords Amendts. . . . [Bill 267]  
 Royal Assent *August* 9 [33 & 34 *Vict.* c. 61]

**Life at Sea Bill**

(*Mr. Plimsoil, Mr. Wheelhouse*)

- c.* Ordered; read 1<sup>o</sup> \* *May* 13 [Bill 127]

**LIFFORD, Viscount**

- Contagious Diseases, [201] 1264  
 Irish Land, 2R. [202] 53; Comm. *cl.* 3, 862, 881;  
*cl.* 5, 975; *cl.* 12, Amendt. 1057; *cl.* 21,  
 Amendt. 1067  
 Marriage with a Deceased Wife's Sister,  
 2R. [201] 942

**Light Dues—Reduction of**

- Question, Mr. Graves; Answer, Mr. Shaw  
 Lefevre *May* 10, [201] 460; Question, Mr.  
 Stevenson; Answer, Mr. Shaw Lefevre  
*May* 16, 744

**Lighthouses**

- Question, Mr. Headlam; Answer, The Chan-  
 cellor of the Exchequer *Mar* 24, [200] 573  
*Use of Gas in*, Question, Mr. Pim; Answer,  
 Mr. Shaw Lefevre *Mar* 31, [200] 983

**LIMERICK, Earl of**

- 202] Irish Land, Comm. *cl.* 2, Amendt. 755, 757,  
 . 862; *cl.* 6, Amendt. 993; *cl.* 12, 1056; *cl.* 21,  
 . Amendt. 1063; *cl.* 42, Amendt. 1084; Re-  
 . port, *cl.* 3, 1434; *cl.* 19, 1453; 3R. *cl.* 7,  
 . Amendt. 1707

**Limited Companies, Liquidation of**

- Question, Mr. Eykyn; Answer, The Attorney  
 General *Mar* 7, [199] 1369

**LINCOLN, Bishop of**

- Elementary Education, Comm. *cl.* 7, [203]  
 1170; *cl.* 14, 1182  
 Marriage with a Deceased Wife's Sister,  
 2R. [201] 927  
 Prayer Book (Lectionary), 2R. [202] 1610; *now*  
 Prayer Book (Table of Lessons), Comm. Sche-  
 dule II, Amendt. [203] 100, 101  
 University Tests, Motion for a Select Com-  
 mittee, [203] 230

**LINDSAY, Hon. Colonel C. H., Abingdon**

- Army—Re-enlistment, [200] 204  
 Volunteers—Additional Capitation Grant,  
 [203] 1522  
 Army Enlistment, Comm. [203] 438, 950  
 India—Muzzle-Loading Rifle, [203] 1091  
 Recall of Indian Regiments, [199] 881

**LINDSAY, Colonel R. J. Loyd, Berkshire**

- Army—Military Train and the Control Depart-  
 ment, [201] 967  
 Army—Evesham Rifle Corps, Res. [203] 790  
 Army Enlistment, [202] 786; Comm. *cl.* 4,  
 [203] 460; *cl.* 6, 463  
 Representation of the People Act Amendment,  
 2R. [202] 179

**LISMORE, Viscount**

- Peace Preservation (Ireland), Comm. *cl.* 38,  
 [200] 981

**Liverpool Admiralty District Registrar  
 Bill**

(*Mr. Graves, Viscount Sandon, Mr. Rathbone*)

- c.* Ordered; read 1<sup>o</sup> \* *April* 27 [Bill 111]  
 Read 2<sup>o</sup> \* *May* 25  
 Committee \*; Report *June* 14  
 Re-comm. \*; Report *June* 20 [Bill 164]  
 Read 3<sup>o</sup> \* *June* 28  
 2. Read 1<sup>a</sup> \* (*The Lord Cairns*) *June* 30  
 Read 2<sup>a</sup> \* *July* 15 (No. 170)  
 Committee \* *July* 18 (No. 218)  
 Report \* *July* 19  
 Read 3<sup>a</sup> \* *July* 21  
 Royal Assent *August* 1 [33 & 34 *Vict.* c. 45]



**LLANDAFF, Bishop of**

Clerical Disabilities, Comm. [203] 1066 ; *cl.* 7, 1068

Ecclesiastical Patronage Transfer, Comm. [201] 570

Prayer Book (Lectionary), 2R. [202] 1611

University Tests, Motion for a Select Committee, [203] 229

**Local Government Supplemental Bill**

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

*c.* Ordered \* *May* 25

Read 1<sup>o</sup> \* *May* 30 [Bill 163]

Read 2<sup>o</sup> \* *June* 16

Committee \* ; Report *June* 17

Read 3<sup>o</sup> \* *June* 20

*l.* Read 1<sup>o</sup> \* (*The Earl of Morley*) *June* 21

Read 2<sup>o</sup> \* *July* 1 (No. 150)

Committee \* ; Report *July* 4

Read 3<sup>o</sup> \* *July* 5

Royal Assent *July* 14 [33 & 34 *Vict. c.* 114]

**Local Government Supplemental (No. 2) Bill**

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

*c.* Ordered ; read 1<sup>o</sup> \* *June* 16 [Bill 171]

Read 2<sup>o</sup> \* *June* 20

Committee \*—R.P. *June* 27

Order for Committee discharged ; Bill referred to a Select Committee \* *June* 28

Committee nominated by the Committee of Selection :—Mr. Fellowes (Chairman), Mr. A. Bass (Stafford), Mr. S. Beaumont, Mr. Eaton, Sir J. Duckworth (Referee)

Report \* *July* 12 [Bill 212]

Re-comm \* ; Report *July* 18

Read 3<sup>o</sup> \* *July* 20

*l.* Read 1<sup>o</sup> \* (*The Earl of Morley*) *July* 21

Read 2<sup>o</sup> \*, and committed *August* 1 (No. 229)

And, on *August* 4, Committee nominated by the Committee of Selection as follows :—D. Manchester (Chairman), E. Powis, V. Melville, L. Seaton, and Lord Howard of Glossop

Report of Select Committee *August* 5

Committee \* *August* 6

Report \* *August* 8

Read 3<sup>o</sup> \* *August* 9

Royal Assent *August* 10 [33 & 34 *Vict. c.* clxv.]

**Local Government Supplemental (No. 3) Bill**

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

*c.* Ordered ; read 1<sup>o</sup> \* *June* 29 [Bill 188]

Read 2<sup>o</sup> \* *July* 4

Committee \* ; Report *July* 18

Considered \* *July* 20

Read 3<sup>o</sup> \* *July* 21

*l.* Read 1<sup>o</sup> \* *July* 29 (No. 259)

**Local Government Supplemental (No. 4) Bill**

(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)

*c.* Ordered ; read 1<sup>o</sup> \* *July* 19 [Bill 226]

Read 2<sup>o</sup> \* *July* 21

Committee \* ; Report *July* 25

Considered \* *July* 26

Read 3<sup>o</sup> \* *July* 27

*l.* Read 1<sup>o</sup> \* *July* 29 (No. 260)

**Local Taxation**

Moved, "That a Select Committee be appointed, to inquire and report whether it be expedient that the charges now imposed on the occupiers of rateable property, for various local purposes, should be divided between the owners and occupiers, and what changes in the constitution of the local bodies now administering rates should follow such division" (*Mr. Goschen*) *Feb* 21, [199] 638

Amendt. to leave out from "That" and add "it would be advisable to postpone the appointment of a Select Committee until the Government have announced their promised measure for dealing with the incidence of rating" (*Sir Massey Lopes*) ; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Select Committee appointed, "to inquire and report whether it be expedient that the charges now locally imposed on the occupiers of rateable property should be divided between the owners and occupiers, and what changes in the constitution of the local bodies now administering rates should follow such division" (*Mr. Goschen*)

Instruction to the Committee, to inquire further into the proper classification of rates, with a view to determine their proper incidence upon the owners or occupiers of such rateable property (*Mr. Corrance*)

And, on *Mar* 3, Committee nominated as follows :—Mr. Goschen (Chairman), Mr. Acland, Mr. Ayrton, Mr. Backhouse, Mr. Birley, Colonel Brise, Mr. Corrance, Mr. Fielden, Mr. George Gregory, Mr. Hunt, Sir James Lawrence, Sir Massey Lopes, Mr. Pell, Mr. Rathbone, Mr. St. Aubyn, Mr. Charles Seely (Nottingham), Mr. W. H. Smith, Sir William Tite, Mr. Walter, Mr. Wheelhouse, and Sir Hedworth Williamson

Report of Select Committee *July* 15—P. P. 353  
Question, Sir Massey Lopes ; Answer, Mr. Goschen *June* 20, [202] 486

*Liability of Owners*, Questions, Mr. Acland, Sir Massey Lopes ; Answers, Mr. Gladstone *August* 1, [203] 1277

**LOCH, Mr. G., Wick, &c.**

Baltic Ports, Blockade of the, [203] 876

Game Laws, Res. [201] 1898, 1902

Game Laws Abolition, 2R. [203] 563

Game Laws Amendment, 2R. [200] 9

Game Laws (Scotland), 2R. [199] 1111 ; [200] 61

Irish Land, Comm. *cl.* 14, Amendt. [201] 428

Sheriffs (Scotland) Act Amendment, Comm. *cl.* 10, [203] 473

**LOCKE, Mr. J., Southwark**

Attorneys and Solicitors Remuneration, 2R. [199] 758

Census, Comm. *cl.* 4, [203] 1009 ; *cl.* 6, 1147

False Weights and Measures, Res. [201] 1521

Judicial Committee, Comm. *cl.* 2, [203] 1720, 1722

Metropolis—Southwark Park, [199] 1000 ; [203] 250 ; Res. 1113, 1115

Metropolis—Waterside Cattle Market, [200] 1549, 1550

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LOCKE, Mr. J.—*cont.*

- Metropolis—Thames Embankment, Motion for an Address, [202] 1774  
Municipal Boroughs (Metropolis), 2R. [201] 868  
Peace Preservation (Ireland), *Consid. cl.* 33, [200] 709  
Poor Relief (Metropolis), Leave, [199] 580 ; 2R. [200] 1779  
Sale of Liquors on Sunday, 2R. [203] 1437  
Supply—County Courts, [203] 995  
Tramways, Leave, [199] 1086  
University Tests, Comm. Proviso 1, [201] 1972

**Lodgers' Goods Protection Bill** (*Mr. Henry B. Sheridan, Mr. Holms, Mr. Staveley Hill*)

- c.* Ordered ; read 1° \* April 6 [Bill 96]  
Read 2° \* June 22  
Committee\* ; Report June 29 [Bill 185]  
Bill withdrawn \* August 5

LONDON, Bishop of

- Clerical Disabilities, 2R. [203] 927 ; Comm. *cl.* 7, Amendt. 1087  
Ecclesiastical Business, &c., Motion for Returns, [200] 716  
Ecclesiastical Courts, 2R. [200] 63 ; [203] 617  
Elementary Education, Comm. *cl.* 7, [203] 1163  
Sunday Trading, 2R. [199] 677

LONGFORD, Earl of

- Army Enlistment, 2R. [203] 940, 946  
Irish Church Act Amendment, 2R. [201] 1289  
Irish Land, Comm. *cl.* 1, [202] 745 ; *cl.* 3, 771, 862, 879, 892 ; *cl.* 12, Amendt. 1057 ; *cl.* 13, 1060 ; Report, *cl.* 3, 1431, 1432 ; *cl.* 5, 1449 ; 3R. Amendt. 1703  
War Office, 2R. [201] 93, 105 ; Comm. 455

LOPES, Sir M., *Devonshire, S.*

- Clerical Dignitaries, Resignation of, [201] 1494  
Elementary Education, Comm. [202] 299 ; *cl.* 45, Amendt. 1489, 1653 ; *cl.* 46, 1660 ; *cl.* 82, [203] 93  
Foreign Enlistment, *Consid.* [203] 1555  
Local Taxation—Liability of Owners, [203] 1277  
Local Taxation, [199] 593 ; Motion for a Committee, Amendt. 650 ; [202] 486

LOPES, Mr. H. C., *Launceston*

- Capital Sentences (Court of Appeal), 2R. [202] 733  
Stamps upon Leases, [199] 844  
Visitation Fees, [199] 802

*Lord Privy Seal, Office of*

- Question, Mr. J. White ; Answer, Mr. Gladstone July 7, [202] 1620

**Lords Spiritual Bill**

- c.* Motion for Leave (*Mr. Somerset Beaumont*) June 21, [202] 670 ; after debate, Question put ; A. 102, N. 158 ; M. 56  
Division List, Ayes and Noes, 702

*Lotteries, Illegal*

- Question, Mr. Charley ; Answer, Mr. Chichester Fortescue Mar 14, [199] 1869 ; Observations, Mr. Charley ; Reply, Mr. Bruce May 6, [201] 350

*Homer Row Poor Schools*, Question, Mr. Charley ; Answer, Mr. Bruce April 5, [200] 1283

LOWE, Right Hon. R. (see CHANCELLOR of the EXCHEQUER)

*Lowestoft—Office of Stamp Distributor at*  
Question, Mr. Henniker-Major ; Answer, Mr. Gladstone Mar 28, [200] 722

*Lowry—Appointment of Mr.*

- Question, Mr. West ; Answers, The Solicitor General, Mr. Charley June 9, [201] 1768

LOWTHER, Mr. J., *York City*

- Army—Military Resources, [203] 1437  
Bridgwater Election Commissioners, [201] 1769 ; [202] 894  
Corrupt Practices, Motion for a Committee, Amendt. [200] 1690, 1701  
Corrupt Practices at Elections, Motion for a Return, [202] 1546  
Dublin City Voters Disfranchisement, 2R. [202] 1427  
Ecclesiastical Titles Act Repeal, Comm. *cl.* 2, [203] 1597  
Elementary Education, Comm. *cl.* 65, [202] 1739 ; Amendt. [203] 41 ; Schedule II, Motion for reporting Progress, 316  
Game Laws Abolition, 2R. [203] 562  
Glebe Loans (Ireland), 3R. [203] 1483 ; Motion for Adjournment, 1484  
Fennelly, Mr., Motion for an Address, [203] 547, 548  
Foreign Enlistment, *Consid.* [203] 1550 ; Amendt. 1551  
Ireland—Dublin Freeman Commission, [200] 422  
Irish Land, Comm. *cl.* 3, [200] 2019  
Judicial Committee, Comm. *cl.* 2, [203] 1724  
Navy—Increase, [203] 1497  
Navy—African Squadron, Res. [200] 847  
Peace Preservation (Ireland), 2R. [200] 379, 381 ; *Consid. cl.* 40, 714  
Suburban Commons, 2R. Amendt. [201] 559, 568

LOWTHER, Mr. W., *Westmoreland*

- Parish Hearses, Licence for, [199] 799

LUBBOCK, Sir J., *Maidstone*

- Army—Direct Commissions, [203] 1282  
Army—Military Education Commission, Res. [200] 1552, 1581  
Census, 2R. [203] 817 ; Comm. *cl.* 4, Amendt. 1006, 1010  
Coinage, Comm. *cl.* 7, [199] 1728  
Elementary Education, Comm. *cl.* 14, Amendt. [202] 1270  
Harrow and Winchester Schools, Res. [203] 986  
India—Mason, Mr., Case of, Res. [203] 801

[*cont.*]



LUBBOCK, Sir J.—*cont.*

- National Debt, Res. [202] 1511
- Public Schools, Motion for an Address, [201] 1684
- Savings Banks, [201] 1701
- Stamp Duties, 2R. [201] 1637
- Supply—Learned Societies, [203] 1480
- University of London, [203] 1143

## LUCAN, Earl of

- Irish Land, 2R. [202] 20 ; Comm. 742

## LURGAN, Lord

- Irish Land, 2R. [202] 53 ; Motion for Adjournment, 258, 322
- Peace Preservation (Ireland), 2R. [200] 811
- Settled Estates, 2R. [203] 613

LUSH, Dr. J. A., *Salisbury*

- Broadmoor Asylum, [201] 966
- Civil Service Commissioners, [202] 1710
- Dangerous Exhibitions, [199] 1961
- Post Office—West of England Postal Service, [202] 1459

LUSK, Mr. Alderman A., *Finsbury*

- Army Estimates—Martial Law, [201] 1831
- Medical Establishments, [201] 1832
- Works, Buildings, &c. [201] 430
- Census, 2R. [203] 818
- Corporation of London, 2R. [201] 894
- Customs and Inland Revenue, 2R. [201] 1636 ; Comm. 1780 ; *cl.* 21, 1810, 1812 ; Schedule, 1818
- Foreign Enlistment, Consid. [203] 1556
- Friendly Societies, Leave, [199] 159
- Ireland—Shannon Navigation [Grant], Comm. [203] 1042, 1043
- Life Assurance Companies, Comm. *cl.* 12, [202] 1186
- Mercantile Marine, Res. [203] 1111
- Navy Estimates—Admiralty Office, [201] 1657
- Army Department—Conveyance of Troops, [203] 1219
- Dockyards, &c. [199] 1319
- Naval Stores, [201] 1742
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- Victuals and Clothing, [199] 1293, 1298
- Poor Relief (Metropolis), 2R. [200] 1781
- Ship "Chieftain," [203] 245, 246
- Spain—Case of the "Tornado," [200] 2131
- Stamp Duties, 2R. [201] 1638 ; Comm. *cl.* 49, [203] 1561
- Supply—Buildings of the Houses of Parliament, [203] 913
- Chapter House, Westminster, [203] 918
- Civil Service Commission, [203] 370
- Civil Service Estimates, [199] 1570, 1576
- Commissioners of Police (Dublin), Amendt. [203] 1123
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- Criminal Prosecutions, [203] 992
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- Embassy Houses, Constantinople, &c. [203] 921
- Exchequer and Audit Department, [203] 372
- Grants for Civil Services, [199] 1956, 1957
- Law Charges, [203] 990
- Lord Lieutenant (Ireland), Expenses, [203] 922
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- Privy Council Office, [202] 398, 405
- Public Works (Ireland), Amendt. [203] 921
- Registrars of Friendly Societies, [203] 670
- Royal Parks, [203] 914
- Salaries, &c., Queen's and Lord Treasurer's Remembrancer, Amendt. [203] 781
- Ways and Means, Report, [200] 1720

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- Canada—Canadian Volunteers, Res. [203] 727
- Colonies, British, [199] 221
- Ecclesiastical Patronage Transfer, 2R. [200] 1277 ; Comm. [201] 569
- Elementary Education, Comm. *cl.* 3, [203] 1160 ; *cl.* 7, 1166 ; Amendt. 1174 ; *cl.* 14, 1178 ; *cl.* 17, Amendt. 1183 ; *cl.* 22, Amendt. 1184 ; *cl.* 25, Amendt. 1185 ; *cl.* 73, 1189
- Hours of Labour Regulation Act, [199] 760
- Married Women's Property, Comm. *cl.* 1, [203] 397
- New Zealand—Withdrawal of Troops, Address for Correspondence, [199] 1359

LYTTELTON, Hon. C. G., *Worcestershire E.*

- Army—Evesham Rifle Corps, Res. [203] 788, 789

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- Bridgwater and Beverley Disfranchisement, Comm. *cl.* 1, [201] 1697
- British Columbia, 2R. [203] 394
- Canada—Fenians, Invasion by, [201] 1463, 1467
- Red River Insurrection, [201] 251
- Canada—Canadian Volunteers, Res. [203] 720
- Clerical Disabilities, Comm. *cl.* 7, [203] 1070
- Colonies, British, [199] 230
- Criminal Statistics, Address for a Return, [200] 1157
- Elementary Education, Comm. *cl.* 73, [203] 1189
- India—Financial Statement, [203] 1087
- Marriage with a Deceased Wife's Sister, 2R. [201] 925
- Married Women's Property, 2R. [202] 617
- New Zealand (Guarantee of Loan), 2R. [203] 481
- Opposed Private Bills, Committee of Selection, [199] 411
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- Peace Preservation (Ireland), Comm. *cl.* 29, [200] 978
- Sligo and Cashel Disfranchisement, 2R. [202] 1601
- War Office, Report, [201] 571

**McARTHUR, Mr. W., *Lambeth***

Burials, 2R. [200] 543  
Canada—Red River Settlement—Appropriation of Lands, [203] 246  
East India (Opium Revenue), Res. [201] 497  
Elementary Education, Comm. [202] 673; *cl.* 7, 1050, 1051; *cl.* 33, 1488; *Consid. cl.* 8, Amendt. [203] 490; *cl.* 14, Amendt. 492  
Glebe Loans (Ireland), 2R. [203] 974  
Wesleyan Ministers in Military Prisons, [200] 1429

**McCLURE, Mr. T., *Belfast***

Irish Land, Comm. *cl.* 1, [200] 1018

**McCOMBIE, Mr. W., *Aberdeenshire, W.***  
Game Laws Abolition, 2R. [201] 1400

**MACFIE, Mr. R. A., *Leith, &c.***

Annuity Tax (Edinburgh), 2R. [199] 1105  
Bible (Authorized Version), Motion for an Address, [202] 122  
Board of Trade, Constitution of, [203] 378, 1735  
Canada—Red River, Disturbances at, [201] 1094  
Census, 2R. [203] 818; Comm. *cl.* 4, Amendt. 1010; Lords Amendts. 1706  
Copyright, International, [201] 1595  
Customs and Inland Revenue, Comm. [201] 1794; Schedule, 1818  
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Lord Privy Seal, Office of, Res. [203] 891  
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    Colonies—Grants in aid, [203] 1246  
    Customs Department, [203] 1249  
    Education, Public, [203] 1135  
    Fishery Board (Scotland), [203] 783  
    Post Office, [203] 1252  
    Salaries, &c., Queen's and Lord Treasurer's Remembrancer, [203] 782  
    Science and Art Departments, [203] 1137  
    Stationery and Printing, [203] 672  
Waste Lands in the Colonies, [200] 719  
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**McLAGAN, Mr. P., *Linlithgowshire***

Customs and Inland Revenue, Comm. *cl.* 21, [201] 1809  
Game Laws Abolition, 2R. [201] 1403; [203] 550  
Game Laws (Scotland), [199] 332  
Gun Licences, 2R. [201] 1683  
Irish Land, Comm. *cl.* 1, [200] 759; Amendt. 1026; *cl.* 4, [201] 297; *cl.* 60, 772  
Post Office, Comm. *cl.* 8, Amendt. [203] 1383  
Sheriffs (Scotland) Act Amendment, Comm. *cl.* 5, [203] 470

**McLAREN, Mr. D., *Edinburgh***

Annuity Tax (Edinburgh), 2R. [199] 1088, 1111; Amendt. [200] 61  
Army Estimates—Miscellaneous Services, [203] 431  
Census, 2R. [203] 818  
Church Rates (Scotland), 2R. [199] 1580, 1602  
Contagious Diseases Acts Repeal, [201] 1342  
County Government, Res. [201] 1865  
Customs and Inland Revenue, 2R. [201] 1632  
Ecclesiastical Titles Act Repeal, 2R. [203] 1545  
Education of the Blind, &c. 2R. [201] 248  
Elementary Education, Comm. *cl.* 26, [202] 1328; *cl.* 27, 1411; *cl.* 46, 1661; *cl.* 65, [203] 63; *Consid. cl.* 23, Amendt. 495  
Glebe Loans (Ireland), 2R. [203] 967  
Ireland—Local Taxation, Motion for a Committee, [202] 127  
Ireland—Shannon Navigation [Grant], Comm. [203] 1042, 1045  
Life Assurance Companies, 2R. [199] 746; Comm. *cl.* 4, [202] 1172; *cl.* 7, 1174, 1177; *cl.* 10, 1181; *cl.* 11, 1182  
Marriage with a Deceased Wife's Sister, 2R. [199] 407  
Navy Estimates—Medical Stores, [203] 1205  
Pedlars' Certificates, Comm. Motion for reporting Progress, [203] 700; *cl.* 5, Amendt. 701, 702; *cl.* 6, Amendt. *ib.*  
Post Office, Comm. *cl.* 8, [203] 1383  
Public Prosecutions, Motion for a Committee, [201] 473  
Sheriffs (Scotland) Act Amendment, Comm. *cl.* 10, [203] 474; *cl.* 11, 475  
Spain—Cuba, Insurrection in, [203] 875  
Sunday Trading, 2R. [202] 1582  
Supply—Board of Lunacy (Scotland), Amendt. [203] 803  
    Commissioners of Police, Dublin, [203] 1124  
    County Courts, [203] 993  
    Education, Public, [203] 1133  
    Exchequer and Audit Department, [203] 371  
    Fishery Board (Scotland), [203] 783  
    Home Department, [202] 390  
    Landed Estates Court (Ireland), [203] 1122  
    Lord Lieutenant (Ireland)—Expenses, [203] 922  
    Offices of the House of Commons, [202] 387  
    Privy Council Office, [202] 403  
    Public Works (Ireland), [203] 920  
    Salaries, &c., Queen's and Lord Treasurer's Remembrancer, [203] 781  
    University of London, [203] 1144  
Turnpike Roads, Res. [200] 870  
University Tests, Comm. *cl.* 3, [201] 1959, 1960

**McMAHON, Mr. P., *New Ross***

Customs and Inland Revenue, 2R. [201] 1631  
Fennelly, Mr., Motion for an Address, [203] 545  
Ireland—Telegraphic Communication, [203] 1281  
    Tipperary Election—Jeremiah O'Donovan Rossa, [199] 148  
    Union Rating, [199] 1621  
200 Irish Land, Comm. 730, 1902, 2001  
201 *cl.* 19, 586, 591, 593; *cl.* 20, Amendt. 595;  
    *cl.* 66, 771; *add. cl.* 782, 1012, 1257, 1259;  
    *Consid. add. cl.* 1433, 1434; Amendt. 1437,  
        1438  
203 Lords Amendts. 136  
    Naturalization, Comm. *cl.* 2, Amendt. [200] 1734; *cl.* 5, 1738



McMAHON, Mr. P.—*cont.*

- 200] Peace Preservation (Ireland), 2R. 463; Comm.  
*cl.* 20, 597; *cl.* 26, 600; *cl.* 27, 631, 651;  
 Amendt. 678; *cl.* 30, Amendt. 684; *cl.* 37,  
 691; Consid. *cl.* 33, 707; Amendt. 709, 711;  
*cl.* 39, Amendt. *ib.*  
 Rating (Ireland), Motion for a Committee, [201]  
 2009

**Magistrates, &c. Election (Scotland) Bill**

(*The Lord Advocate, Mr. Secretary Bruce*)

- c. Ordered; read 1<sup>o</sup> \* June 21 [Bill 177]  
 Read 2<sup>o</sup> \* June 30  
 Committee\*; Report July 4  
 Read 3<sup>o</sup> \* July 5  
 l. Read 1<sup>o</sup> \* (*The Earl of Morley*) July 7 (No. 187)  
 Read 2<sup>a</sup> \* July 18  
 Committee \* July 22 (No. 240)  
 Report \* July 29  
 Read 3<sup>a</sup> \* August 1  
 Royal Assent August 9 [33 & 34 Vict. c. 92]

**Magistrates in populous Places (Scotland)**

Bill (*Mr. Carnegie, Sir Edward*)

(*Colebrooke, Mr. Orr Ewing*)

- c. Ordered; read 1<sup>o</sup> \* May 9 [Bill 121]  
 Read 2<sup>o</sup> \* May 18  
 Committee\*; Report June 13  
 Read 3<sup>o</sup> \* June 16  
 l. Read 1<sup>o</sup> \* (*The Earl of Airlie*) June 17 (No. 143)  
 Read 2<sup>a</sup> \* July 5  
 Committee\*; Report July 7  
 Bill read 3<sup>a</sup>, after short debate July 14, [203]  
 238  
 Royal Assent August 1 [33 & 34 Vict. c. 37]

**MAGNIAC, Mr. C., *St. Ives***

- China—Treaty with—Reported Massacres,  
 [202] 1624, 1625  
 Clarendon, Late Earl of, [202] 998  
 Colonies, Motion for a Committee, [200] 1868  
 Customs and Inland Revenue, 2R. [201] 1636;  
 Comm. 1782  
 East India Revenue Accounts, Comm. [203]  
 1657  
 Elementary Education, Comm. *cl.* 7, [202]  
 1110; *cl.* 10, 1230  
 Navy—African Squadron, Res. [200] 840  
 Navy—Naval Retirement, Res. [200] 162  
 New Zealand, [199] 693;—Relations with, [201]  
 810  
 Pilotage, 2R. [199] 776  
 Prisons, &c. Motion for a Committee, [199]  
 1077  
 Stamp Duties, 2R. [201] 1637; Comm. *cl.* 49,  
 [203] 1561; *cl.* 51, *ib.*

**MAGUIRE, Mr. J. F., *Cork City***

- Conventual and Monastic Institutions, Motion  
 for a Committee, [200] 1698  
 Corrupt Practices at Elections, Motion for a  
 Return, [202] 1553  
 Glebe Loans (Ireland), 2R. [203] 969; Consid.  
 1385  
 Gough, Viscount, Statue of, Motion for an  
 Address, [203] 778  
 Ireland—Landing Pier at Culmore, [202] 1208  
 Royal Dock at Hawlbowlne, [203] 1575  
 Tipperary Election—Jeremiah O'Donovan  
 Rossa, [199] 149

MAGUIRE, Mr. J. F.—*cont.*

- Irish Land, 2R. Motion for Adjournment,  
 [199] 1463, 1483; *cl.* 1, [200] 1014; *cl.* 3,  
 1249, 1466, 1526; [201] 43, 289; *cl.* 5, 364;  
*cl.* 11, 412, 414; *cl.* 41, 756, 759; 3R. 1603;  
 Lords Amendts. [203] 125, 128, 668  
 Medical Officers Superannuation, 2R. [202] 727  
 200] Peace Preservation (Ireland), 2R. 381, 382;  
 Comm. *cl.* 26, 602; *cl.* 27, 612, 681;  
*cl.* 28, 683; *cl.* 31, 685; *cl.* 33, 695; *add.*  
*cl.* Amendt. 698, 699; Consid. 702, 703;  
*cl.* 2, 704; *cl.* 33, 706, 708  
 Prison Ministers and Prison Acts, [202] 1363  
 Processions (Ireland), 2R. [202] 1691  
 Supply—Constabulary (Ireland), [203] 1125  
 Education, National (Ireland), [203] 1481

MAHON, Viscount, *Suffolk, E.*

- Elementary Education, Comm. *cl.* 45, [202] 1493  
 Navy—Sale of Deptford Dockyard, [203] 735

MALCOLM, Mr. J. W., *Boston*

- Army—Retirement from the, [199] 1631  
 Salmon, Unseasonable, [199] 586  
 Telegraphs, Interruption of, [199] 122

**Mallow Borough—Controverted Elections**

- Judges Certificate and Report read, and or-  
 dered to be entered in the Journals of this  
 House April 25, [200] 1726

MALMESBURY, Earl of

- Canada—Fenians, Invasion by, [201] 1467  
 Canada—Canadian Volunteers, Res. [203] 718  
 France and Prussia—Declaration of War, [203]  
 317;—Ministerial Statement, 1057;—Al-  
 leged Draft Treaty, 1149  
 Greece—Murder of British Subjects, [201] 1186  
 Irish Land, Comm. *cl.* 3, [202] 876; *add. cl.*  
 1058; *cl.* 40, 1076, 1078  
 Settled Estates, 2R. [203] 611  
 Spain—Throne of Spain, [203] 1

**Malta—Council of Government**

- Question, Mr. Kinnaird; Answer, Mr. Monsell  
 April 29, [200] 2058

**Malt Tax**

- Amendt. on Committee of Supply Mar 4,  
 To leave out from "That" and add "it  
 is expedient that, in lieu of the present Duties  
 on Malt, a reduced charge should be made on  
 the manufactured article, Beer; and it ap-  
 pears to this House that a Licence imposed  
 in the same way as the commuted Hop Duty  
 should be charged on Public Brewers, and  
 a Licence to Brew on all Private Brewers"  
 (*Colonel Barttelot*), [199] 1253; Question  
 proposed, "That the words, &c.;" after  
 long debate, Amendt. withdrawn

MANCHESTER, Duke of

- Gambia—Transfer of, to the French, [203] 339  
 Irish Land, Comm. *cl.* 1, [202] 748, 779, 781;  
*add. cl.* 1058; Report, *add. cl.* 1463; 3R.  
 1703

MANCHESTER, Bishop of

- Ecclesiastical Courts, 2R. [203] 99  
 Elementary Education, Comm. *cl.* 7, [203] 1175

*Manchester—Threatened attack on Mr. Johnson*  
Question, Mr. Gilpin ; Answer, Mr. Bruce  
*May 10, [201] 461*

**MANNERS, Right Hon. Lord J. J. R.,**  
*Leicestershire, N.*

Army Enlistment, *Consid.* [203] 697  
Ballot, Leave, [199] 279  
Census, *Comm.* *cl.* 4, [203] 1011  
Church Rates (*Scotland*), 2R. [199] 1592  
202] Elementary Education, *Comm.* 846 ; *cl.* 7,  
1034 ; *cl.* 10, 1227 ; *cl.* 14, 1246 ; *cl.* 27, 1420 ;  
*cl.* 29, 1477 ; *cl.* 55, 1673, 1675 ; *cl.* 62, 1715  
203] *cl.* 65, 57 ; *cl.* 81, 69 ; *add. cl.* 95 ; *Schedule*  
I, 270 ; *Schedule II*, 273, 274, 277, 295, 296,  
309 ; *Amend.* 312, 313, 315 ; *Consid.* 491 ;  
*cl.* 16, 493 ; *cl.* 22, 495 ; *cl.* 27, 499 ; *Schedule*  
II, *Amend.* 506, 508 ; *Schedule V*,  
*Amend.* 660  
France—Commercial Treaty, Motion for a  
Committee, [201] 142, 166  
Ireland—Administration of the Law, [199] 876  
Repression of Outrages, [199] 1149  
Security of Life in, [199] 1370  
Ireland—Trinity College, Dublin, Res. [200]  
1144  
Irish Land, *Comm.* *cl.* 1, [200] 1019 ; *cl.* 2,  
1043 ; *cl.* 3, 1064, 1070, 1293, 1296, 1515,  
1519, 1520, 1998 ; [201] 286 ; *cl.* 8, 405 ;  
*cl.* 16, 430 ; *Consid. add. cl.* 1432  
Metropolis—Kensington Gardens, &c. [201] 628  
Metropolis—Hyde Park—The Serpentine, Res.  
[203] 538, 543  
Metropolis—Thames Embankment, Motion for  
an Address, [202] 1777  
Municipal Boroughs (Metropolis), 2R. [201] 867  
National Gallery, [203] 899  
National Gallery, Motion for Correspondence,  
[201] 1077, 1078  
Palace of Westminster—Case of Mr. Edward  
Barry, Res. [201] 706, 709  
Peace Preservation (Ireland), 2R. [200] 431,  
444 ; *Comm.* *cl.* 13, 585, 588 ; *cl.* 27, 669  
Post Office—Grantham Mail Bags, [199] 1480  
Processions (Ireland), 2R. [202] 1691  
Sites for Places of Worship, 2R. [200] 1401  
Supply—Buildings of the Houses of Parliament,  
[203] 910  
Royal Parks, [203] 913  
Works and Public Buildings, [203] 686, 689  
University Tests, *Comm.* *cl.* 2, [201] 1954 ;  
*Consid.* [202] 1379, 1391  
War Office, Leave, [199] 404

**MANNERS, Lord G. J., Cambridgeshire**  
Horse Racing, Leave, [201] 1357

### Marine Mutiny Bill

(*Mr. Dodson, Mr. Childers, Mr. Stansfeld*)

*c.* Ordered \* *Mar* 1  
Read 1° \* *Mar* 11  
Read 2° \* *Mar* 14  
Committee \* ; Report *Mar* 21  
Read 3° \* *Mar* 22  
*l.* Read 1° \* (*The Lord Northbrook*) *Mar* 24  
Read 2° \* *Mar* 25  
Committee \* ; Report *Mar* 28  
Read 3° \* *Mar* 29  
Royal Assent *April* 4 [33 *Vict.* *c.* 8]

**MARLBOROUGH, Duke of**

Admiralty, Motion for Papers, [200] 307  
Benefices, 2R. [202] 1336, 1338, 1341, 1342 ;  
*Comm.* [203] 233, 234  
Elementary Education, 2R. [203] 834 ; *Comm.*  
*cl.* 4, *Amend.* 1160 ; *cl.* 7, 1172, 1173 ; *cl.* 14,  
1178 ; *add. cl.* 1184 ; *cl.* 36, 1186  
Gambia—Transfer of, to the French, [203]  
342  
Ireland—Crimes and Outrages, [199] 1732  
Irish Land, *Comm.* *cl.* 2, [202] 757 ; *cl.* 4,  
956 ; *add. cl.* 992 ; Report, *cl.* 3, 1430, 1442  
Marriage with a Deceased Wife's Sister, 2R.  
*Amend.* [201] 903  
Parliament—Address in Answer to the Speech,  
[199] 51  
Settled Estates, 2R. [203] 612

### Marriage Law of Ireland—Ecclesiastical Titles Act

Questions, The Marquess of Clanricarde ; An-  
swers, Earl Granville *May* 2, [201] 3

### Marriage with a Deceased Wife's Sister Bill (*Mr. Thomas Chambers, Mr. Morley*)

*c.* Ordered ; read 1° \* *Feb* 10 [Bill 11]  
Bill read 2°, after short debate *Feb* 16, [199]  
407  
Question, Mr. Beresford Hope ; Answers, Mr.  
T. Chambers, Mr. T. Collins *Feb* 17, 434 ;  
Question, Mr. T. Collins ; Answer, Mr. T.  
Chambers *Feb* 18, 532  
Order for Committee read ; Moved, " That Mr.  
Speaker do now leave the Chair " (*Mr.*  
*Thomas Chambers*) *April* 27, [200] 1915  
*Amend.* To leave out from " That " and add  
" it is inexpedient to alter the Law of Mar-  
riage, which has existed in this country from  
time immemorial, as to the degrees of kindred  
and affinity within which Marriages are per-  
mitted, until Parliament has considered the  
whole question whether degrees of affinity  
should be put on a different footing from the  
corresponding degrees of consanguinity " (*Mr.*  
*Spencer Walpole*) ; Question put, " That the  
words, &c. " A. 184, N. 114 ; M. 70  
Division List, Ayes and Noes, 1956  
Main Question, " That Mr. Speaker, &c. " put,  
and agreed to ; Committee ; Report  
Considered \* *April* 28  
Read 3° \* *April* 29  
*l.* Read 1° \* (*Lord Houghton*) *May* 2 (No. 76)  
Moved, " That the Bill be now read 2° " *May* 19,  
[201] 895  
*Amend.* to leave out (" now ") and insert  
(" this day six months ") (*The Duke of*  
*Marlborough*) ; after long debate, on Ques-  
tion, That (" now, ") &c. ? Cont. 73, Not-  
Cont. 77 ; M. 4  
Division List, Cont. and Not-Cont. 963  
Resolved in the negative ; and Bill to be read  
2° on this day six months

### Married Women's Acknowledgments Bill

(*Mr. Dodds, Mr. Goldney*)

*c.* Ordered ; read 1° \* *Feb* 23 [Bill 43]  
Bill withdrawn \* *July* 7



**Married Women's Property Bill**

(*Mr. Russell Gurney, Mr. Headlam, Mr. Jacob Bright*)

- c. Ordered; read 1<sup>st</sup> *Feb* 11 [Bill 16]  
 Bill read 2<sup>a</sup>, after debate *May* 18, [201] 878  
 Committee\*; Report *May* 24  
 Considered\* *May* 26  
 Read 3<sup>rd</sup> *May* 30
- l. Read 1<sup>st</sup> (*The Lord Cairns*) *May* 31 (No. 125)  
 Bill read 2<sup>a</sup>, and referred to a Select Committee,  
 after debate *June* 21, 600  
 And, on *July* 4, the Lords following were  
 named of the Committee:—D. Buckingham  
 and Chandos, E. Shaftesbury, E. Airlie, E.  
 Carnarvon, E. Morley, E. Lichfield, L. Bp.  
 Gloucester and Bristol, L. Dinevor, L. Stan-  
 ley of Alderley, L. Clandeboyne, L. Westbury,  
 L. Romilly, L. Cairns, and L. Penzance  
 Report of Select Comm. *July* 11 (*P. P.* No. 196)  
 Report\* *July* 11 (No. 195)  
 Committee, after short debate *July* 18, [203]  
 395  
 Report *July* 21, 622 (No. 216)  
 Read 3<sup>rd</sup> *July* 22 (No. 223)  
 Commons Amendts. (No. 288)
- c. Lords' Amendts. considered; after short debate,  
 agreed to *August* 3, 1488 [Bill 238]
- l. Royal Assent *August* 9 [33 & 34 *Vict.* c. 93]

**Married Women's Property (No. 2) Bill**

(*Mr. Raikes, Mr. Staveley Hill, Mr. West*)

- c. Motion for Leave (*Mr. Raikes*) *Feb* 14, [199]  
 284; Bill ordered, after debate; read 1<sup>st</sup>\*  
 Moved, "That the Bill be now read 2<sup>o</sup>"  
*May* 18, [201] 893 [Bill 22]  
 Amendt. to leave out "now," and add "upon  
 this day six months" (*Mr. Jacob Bright*);  
 Question put, "That 'now,' &c.;" A. 46,  
 N. 208; M. 162; words added; main Ques-  
 tion, as amended, put, and agreed to; Bill  
 put off for six months

**MARTIN, Mr. P. Wykeham, Rochester**

Elementary Education, Comm. cl. 27, [202]  
 1418, 1421

Game Laws Amendment, 2R. [200] 1, 9

Medway Union, [203] 1194

Navy—Chatham Dockyard, Discharges from,  
 [200] 1501

Pilotage, Comm. [202] 597

Supply—Salaries, &c., Queen's and Lord Treas-  
 urer's Remembrancer, [203] 781

**Matrimonial Causes and Marriage Law**

(Ireland) Bill (*Mr. Chichester Fortescue,*  
*Mr. Solicitor General for Ireland*)

- c. Ordered; read 1<sup>st</sup>\* *July* 18 [Bill 223]  
 Read 2<sup>o</sup>\* *July* 21  
 Committee\*—*R. F.* *July* 26  
 Committee\*; Report *July* 29  
 Considered\*; read 3<sup>o</sup> *August* 1
- l. Read 1<sup>st</sup>\* (*Lord Dufferin*) *August* 2 (No. 276)  
 Bill read 2<sup>a</sup>, after short debate *August* 4, [203]  
 1514  
 Committee\* *August* 5 (No. 301)  
 Report\* *August* 6  
 Read 3<sup>rd</sup>\* *August* 8  
 Royal Assent *August* 10 [33 & 34 *Vict.* c. 110]

**MATTHEWS, Mr. H., Dungarvan**

Conventual and Monastic Institutions, Motion  
 for a Committee, [200] 1595, 2033; [201]  
 80, 83; Amendt. 530, 534

County Coroners (Ireland), 2R. [201] 557

Ireland—Tipperary Election—Jeremiah O'Do-  
 novan Rossa, [199] 132

Waterford Election Petition, [202] 1208,  
 1305

Irish Land, Comm. cl. 2, [200] 1044; cl. 3,  
 1245, 1526; cl. 14, [201] 424, 426; cl. 17,  
 578

Telegraphic Communication between Germany  
 and America, [199] 693

**MAXWELL, Mr. W. H., Kirkcudbright-**

shire  
 Church Rates (Scotland), 2R. [199] 1595

Public Prosecutions, Motion for a Committee,  
 [201] 472

**MEATH, Earl of**

Irish Land, Comm. cl. 3, [202] 759

**Medical Act (1858) Amendment Bill**

(*The Lord President*)

- l. Presented; read 1<sup>st</sup> *April* 8, [200] 1495 (No. 69)  
 Bill read 2<sup>a</sup>, after debate *May* 5, [201] 253  
 Committee\*; Report *May* 10 (No. 93)  
 Re-comm. *June* 30, [202] 1197 (No. 173)  
 Report *July* 4, 1347  
 Moved, "That the Bill be now read 3<sup>a</sup>" *July* 5,  
 1456  
 Amendt. to leave out ("now,") and insert ("this  
 day three months") (*The Marquess of Clanric-  
 carde*); after short debate, on Question, That  
 ("now,") &c.; resolved in the affirmative;  
 Bill read 3<sup>a</sup>
- c. Read 1<sup>st</sup>\* *July* 13 [Bill 216]  
 Bill withdrawn\* *July* 25

**Medical Acts Amendment Bill**

(*Sir John Gray, Mr. Graves*)

- c. Ordered; read 1<sup>st</sup>\* *Feb* 21 [Bill 40]  
 Moved, "That the Bill be now read 2<sup>o</sup>" *Mar* 30,  
 [200] 962; after short debate, Debate ad-  
 journed

**Medical Officers Superannuation Bill**

(*Mr. Brady, Sir Henry Hoare, Mr. Brodrick,*  
*Mr. Clay*)

- c. Ordered; read 1<sup>st</sup>\* *Mar* 10 [Bill 70]  
 Moved, "That the Bill be now read 2<sup>o</sup>"  
*June* 22, [202] 717  
 Amendt. to leave out "now" and add "upon  
 this day six months" (*Mr. Joshua Fielden*);  
 after short debate, Question put, "That  
 'now,' &c.;" A. 139, N. 28; M. 111;  
 main Question put, and agreed to; Bill  
 read 2<sup>o</sup>  
 Committee\*; Report *June* 27  
 Considered\* *June* 28  
 Read 3<sup>o</sup>\* *June* 29
- l. Read 1<sup>st</sup>\* (*The Marquess of Salisbury*) *June* 30  
 Read 2<sup>a</sup>\* *July* 11 (No. 169)  
 Committee *July* 19, [203] 478  
 Report\* *July* 21 (No. 225)  
 Read 3<sup>a</sup>\* *July* 25  
 Royal Assent *August* 9 [33 & 34 *Vict.* c. 94]

*Medical Officers (West Coast of Africa)*

Observations, Mr. Raikes [House counted out]  
June 14, [202] 128

**Meeting of Parliament Bill**

(Mr. Gladstone, Mr. Secretary Bruce)

- c. Motion for Leave (Mr. Gladstone) July 28,  
[203] 1146; Bill ordered; read 1<sup>o</sup>\* [Bill 247]  
Read 2<sup>o</sup>\* August 1  
Committee\*; Report August 2  
Read 3<sup>o</sup>\* August 3  
l. Read 1<sup>a</sup>\* (The Earl Granville) August 4  
Read 2<sup>a</sup> August 5, 1873 (No. 283)  
Committee\*; Report August 6  
Read 3<sup>a</sup>\* August 8  
Royal Assent August 9 [33 & 34 Vict. c. 81]

**MELLOR, Mr. T. W., Ashton-under-Lyne**

Customs and Inland Revenue, Comm. cl. 23,  
[201] 1812  
Factories and Workshops Act, [203] 1524  
Medical Officers Superannuation, 2R. [202] 720  
Navy—"Mutine," The, [200] 819  
Supply—Foreign Office, [202] 396  
Woods, Forests, &c. [203] 674

**MELLY, Mr. G., Stoke-upon-Trent**

Ballot, Leave, [199] 283  
Census, Comm. cl. 4, [203] 1009  
199] Elementary Education, Leave, 478  
202] Comm. 534; cl. 7, 1033; cl. 9, 1221;  
cl. 10, 1227; cl. 26, 1327; cl. 27, 1403,  
1417, 1420; cl. 29, 1479; cl. 31, Amendt.  
1480; cl. 45, 1626  
203] cl. 65, 58; cl. 81, 73; add. cl. 268; Consid.  
489; 3R. 755  
Emigration, Res. [199] 1034  
Marriage with a Deceased Wife's Sister, Comm.  
[200] 1937, 1940  
Metropolis—Thames Embankment, Motion for  
an Address, [202] 1775  
Munzinger, Mr., Case of, [199] 1142  
Ship "Chieftain," [203] 246  
Trades Unions, [202] 99  
Ways and Means—Financial Statement, [200]  
1876

**MELVILLE, Viscount**

Army—Breech-loaders for Militia and Volun-  
teers, [203] 1270, 1271  
Army Enlistment, Comm. cl. 4, [203] 1263

*Members of Parliament, Alleged Secret  
Service Money paid to*

Questions, Mr. Winterbotham, Mr. Henderson;  
Answers, Mr. Gladstone Mar 11, [199] 1742

**Members of Parliament Payment Bill**

- c. Motion for Leave (Mr. Taylor) April 5, [200]  
1334; after debate, Question put; A 24,  
N. 211; M. 187

*Mercantile Marine*

Amendt. on Committee of Supply July 26, To  
leave out from "That" and add "in the opi-  
nion of this House, the statement in the  
Report of the Board of Trade, that more  
than half of the losses at sea for the six  
years ending in 1868 are owing to overladen

[cont.]

*Mercantile Marine—cont.*

and unseaworthy ships of the collier class,  
requires immediate legislation, with a view  
to the diminution of such losses" (Mr.  
Plimsoll), [203] 1102; Question proposed,  
"That the words, &c.," after short debate,  
Amendt. withdrawn

**Merchant Shipping Code Bill**

(Mr. Bright, Mr. Shaw Lefevre, Mr. Stansfeld)

- c. Acts considered in Committee; after long de-  
bate, Bill ordered; read 1<sup>o</sup> Feb 14, [199] 286  
Bill read 2<sup>o</sup>, after short debate June 13,  
[201] 1987 [Bill 24]  
Moved, "That the Bill be committed to a  
Committee of the Whole House on Monday  
next;" after short debate, Amendt. to leave  
out from "be committed" and add "to a Se-  
lect Committee, so far as regards Parts 3 and  
6, with power to take evidence with respect  
to the best mode of preventing overloading  
of ships and collisions at sea" (Sir John  
Pakington); Question proposed, "That the  
words, &c.," after further short debate,  
Amendt. withdrawn; main Question put,  
and agreed to; Bill committed  
Committee deferred, after short debate July 4,  
[202] 1426  
Committee\*; Report August 3 [Bill 259]

**Merchant Shipping (No. 2) Bill**

(Mr. Shaw Lefevre, Mr. Stansfeld)

- c. Acts considered in Committee; Bill ordered;  
read 1<sup>o</sup>\* Mar 1 [Bill 55]  
Read 2<sup>o</sup>\* June 13  
Bill withdrawn\* August 1

**Metalliferous Mines Bill**

(The Lord Kinnaird)

- l. Presented; read 1<sup>a</sup> Feb 17, [199] 408 (No. 6)  
Order for 2R. read Mar 18, [200] 168; after  
short debate, 2R. put off

**METROPOLIS**

*British Museum—Collections of Natural His-  
tory*, Question, Mr. Cowper-Temple; Answer,  
Mr. Ayrton Feb 22, [199] 685  
*Cab Fares*, Question, Mr. Crawford; Answer,  
Mr. Bruce June 23, [201] 782  
*Cab Regulations*, Question, Mr. Bowring; An-  
swer, Mr. Bruce Feb 14, [199] 237; Mar 1,  
1901; Questions, Mr. Montague Guest, Sir  
John Hay; Answers, Mr. Bruce May 16,  
[201] 743

*Free Bridges*

*Chelsea Bridge*, Moved, "That, in the opinion  
of this House, the Government Bridge at  
Chelsea should henceforth be freed from toll"  
(Mr. Peek) Feb 22, [199] 708; after short  
debate, Question put; A. 21, N. 162;  
M. 141  
Question, Mr. W. H. Smith; Answer, Mr.  
Gladstone Mar 10, 1833  
*Kingston Bridge*, Question, Viscount Enfield;  
Answer, Sir James Lawrence Mar 10, [199]  
1625

[cont.]



METROPOLIS—*cont.*

*Gas for the Metropolis*, Question, Mr. Stephen Cave; Answer, Mr. Shaw Lefevre July 7, [202] 1625

*Government of London, Legislation respecting*, Question, Mr. Bowring; Answer, Mr. Bruce August 9, [203] 1734

*Leicester Square*, Question, Captain Dawson-Damer; Answer, Mr. Ayrton May 30, [201] 1594; June 21, [202] 625

*Metropolis Sewage*, Question, Mr. J. Howard; Answer, Mr. Ayrton July 4, [202] 1359

*Metropolitan Foreign Cattle Market*, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster Feb 9, [199] 110; Question, Mr. Samuda; Answer, Mr. W. E. Forster Feb 21, 589; Question, Sir Henry Selwin-Ibbetson; Answer, Mr. W. E. Forster Feb 23, 895—*Waterside Cattle Market*, Observations, Mr. Samuda; Reply, Mr. W. E. Forster; short debate thereon April 8, [200] 1543; Question, Sir Charles Wingfield; Answer, Mr. W. E. Forster August 8, [203] 1639

*Palace Yard, Subway to*, Question, Mr. Locke King; Answer, Mr. Ayrton Feb 21, [199] 588—*Westminster Bridge—Subway*, Question, Mr. Edwards; Answer, Mr. Ayrton July 11, [203] 39

*Parliamentary Representation—Additional*, Question, Captain Grosvenor; Answer, Mr. Gladstone July 4, [202] 1359

*Police*

Question, Mr. Eykyn; Answer, Mr. Bruce Mar 14, [199] 1872

*Highbury Barn and the Police*, Question, Mr. W. M. Torrens; Answer, Mr. Bruce Feb 15, [199] 326

*The Detective Police—Recent Burglaries*, Question, Colonel Beresford; Answer, Mr. Bruce Mar 28, [200] 727; Question, Lord Eustace Cecil; Answer, Mr. Bruce May 16, [201] 734

*Poor Law*

*Destitution in the Metropolis*, Question, Mr. John Talbot; Answer, Mr. Goschen Feb 15, [199] 327; Question, Mr. W. M. Torrens; Answer, Mr. A. Peel Mar 8, 1482

*Poor Rates, Equalization of, in the Metropolis*, Question, Mr. Wingfield Baker; Answer, Mr. Goschen Feb 25, [199] 806

*St. Pancras, Inquiry at*, Question, Mr. Eykyn; Answer, Mr. Goschen Feb 15, [199] 329

*Westminster Union—Employment of Paupers*, Question, Mr. J. G. Talbot; Answer, Mr. Goschen Mar 11, [199] 1736

*Public Parks*

*Hyde Park*, Question, Sir Harry Verney; Answer, Mr. Ayrton April 8, [200] 1505

*Kensington Gardens and Hyde Park*, Question, The Duke of Rutland; Answer, Earl De Grey and Ripon May 13, [201] 626; Questions, Mr. W. H. Smith, Lord John Manners; Answer, Mr. Ayrton May 13, 626

*Republican Demonstration in Hyde Park*, Question, General Forester; Answer, Mr. Bruce May 12, [201] 575

*Rotten Row, The Ride in*, Question, Sir Frederick W. Heygate; Answer, Mr. Ayrton Mar 28, [200] 721; Question, Sir Harcourt Johnstone; Answer, Mr. Ayrton Mar 29, 831

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METROPOLIS—*cont.*

*Serpentine, The*, Question, Mr. Dyce Nicol; Answer, Mr. Ayrton Feb 14, [199] 236; Question, Mr. Wilbraham Egerton; Answer, Mr. Ayrton Mar 3, 1144; Questions, Captain Dawson-Damer, Mr. W. O. Stanley; Answers, Mr. Ayrton April 4, [200] 1170; Question, Mr. Strutt; Answer, Mr. Ayrton June 30, [202] 1207; Question, Mr. Wilbraham Egerton; Answer, Mr. Ayrton July 7, 1616; Question, Sir Lawrence Palk; Answer, Mr. Ayrton July 11, [203] 35

Moved, "That, in the opinion of this House the bed of the Serpentine, after being thoroughly cleared of mud, should be filled up so as to leave a maximum depth of six feet in the summer months, reducible to four feet in the winter months, with an easy slope from the banks, and an adequate supply of fresh water should be secured so as to cause, during the summer months, a constant outfall at the lower end" (*Captain Grosvenor*) July 19, [203] 535; after short debate, Question put; A. 46, N. 149; M. 103

*Regent's Park Railing*, Question, Mr. Plimsoll; Answer, Mr. Ayrton Mar 18, [200] 208

*The Ornamental Water*, Question, Mr. Harvey Lewis; Answer, Mr. Ayrton July 11, [203] 35; Observations, Mr. Harvey Lewis July 15, 368

*The Park Keepers*, Question, Mr. Harvey Lewis; Answer, Mr. Ayrton July 7, [202] 1621

*Richmond Park*, Question, Sir Edward Buller; Answer, Mr. Ayrton July 21, [203] 650

*The Roehampton Gate*, Question, Mr. Alderman W. Lawrence; Answer, Mr. Ayrton May 13, [201] 629; Observations, Mr. Alderman W. Lawrence; Reply, Mr. Ayrton; short debate thereon July 25, [203] 893

*St. James's Park, Carriage-Road through*, Question, Mr. Cadogan; Answer, Mr. Ayrton July 11, [203] 39

*Southwark Park*, Question, Mr. Locke; Answer, Mr. Ayrton Mar 1, [199] 1000; Question, Mr. Locke; Answer, Mr. Knatchbull-Hugessen July 14, [203] 250

Amendt. on Committee of Supply July 28, To leave out from "That" and add "in the opinion of this House, the whole of the land purchased under the Act of 1864 (The Southwark Park Act), should be preserved as a Park for the use and recreation of the Public" (*Mr. Locke*), [203] 1113; Question proposed, "That the words, &c.," after short debate, Amendt. withdrawn

*Southwark Park, The New Public Offices, and the Thames Embankment*, Petition presented (*The Lord Redesdale*) August 8, [203] 1684; after short debate, Petition to lie on the Table

*Trees in the Parks*, Question, Mr. Eastwick; Answer, Mr. Ayrton Mar 10, [199] 1622

*St. Luke's Hospital*, Question, Colonel Barttelot; Answer, Mr. Bruce Feb 22, [199] 685  
3 U *cont.*

**METROPOLIS—cont.**

*South Kensington Museum*, Question, Mr. W. H. Gregory; Answer, Mr. Stansfeld Feb 24, [199] 764; Question, Mr. B. Samuelson; Answer, Mr. W. E. Forster Mar 7, 1863; Question, Earl Cadogan; Answer, Earl De Grey and Ripon May 13, [201] 624  
*South Kensington—Royal School of Naval Architecture*, Question, Sir John Pakington; Answer, Mr. Gladstone May 10, [201] 463  
 Papers relating to. . . *Parl. P.* 218, 400  
*Temple Bar*, Question, Mr. Lambert; Answer, Mr. Alderman W. Lawrence August 4, [203] 1518; Question, Mr. Whitwell; Answer, Mr. Ayrton August 8, 1691

**Thames Embankment**

*Approaches to the*, Question, Mr. W. H. Smith; Answer, Mr. Ayrton August 8, [203] 1688

*Buildings on the*, Question, Mr. W. H. Smith; Answer, Mr. Gladstone April 11, [200] 1602  
 Amendt. on Committee of Supply July 5, 'To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that She will be pleased to direct that no public offices be erected on that portion of the Thames Embankment which is reserved to the Crown, and which has been reclaimed from the River at the cost of the Ratepayers of the Metropolis" (*Mr. William Henry Smith*), [202] 1752; Question proposed, "That the words, &c;" after long debate, A. 106, N. 156; M. 50; words added; main Question, as amended, put, and agreed to  
 HER MAJESTY'S ANSWER to Address reported July 19, [203] 485

*Thames Embankment, Chelsea*, Question, Sir Charles W. Dilke; Answer, Sir William Tite July 5, [202] 1458

*Thames, Purification of the*, Question, Mr. Brodriok; Answer, Mr. Bruce May 26, [201] 1408

*The Thames at Barking*, Report. . . . [7]  
 [See title *Metropolitan Board of Works*]

*Tramways in London*, Question, Mr. W. H. Smith; Answer, Mr. Shaw Lefevre Feb 17, [199] 1432—*Street Tramways*, Observations, Lord Redesdale; Reply, The Earl of Kimberley Feb 10, [199] 114

*Water Supply*, Question, Mr. Whalley; Answer, Mr. Bruce May 27, [201] 1495

*Westminster Bridge—Subway*, Question, Mr. Edwards; Answer, Mr. Ayrton July 11, [203] 39—*Palace Yard, Subway* to, Question, Mr. Locke King; Answer, Mr. Ayrton Feb 21, [199] 588

*Zoological Gardens*, Question, Mr. Peek; Answer, The Chancellor of the Exchequer June 20, [202] 493

**Metropolitan Board of Works**

*The Thames Embankment*, Question, Captain Grosvenor; Answer, The Chancellor of the Exchequer Feb 11, [199] 176; Question, Lord E beho; Answer, Mr. Ayrton Feb 14, 243

Return . . . . . *Parl. P.* 276  
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[See above]

**Metropolitan Board of Works Loans (Stamp Duty) Bill** (*Mr. Dodson*,

*Mr. Chancellor of the Exchequer*, *Mr. Stansfeld*)

c. Resolutions in Committee May 19  
 Resolutions reported; Bill ordered; read 1<sup>o</sup>\* May 20 [Bill 132]

Read 2<sup>o</sup>\* May 26  
 Committee\*; Report May 30  
 Read 3<sup>o</sup>\* May 31

l. Read 1<sup>st</sup>\* (*The Marquess of Lansdowne*) June 13 (No. 131)

Read 2<sup>nd</sup>\*; Committee negatived June 30

Read 3<sup>rd</sup>\* July 1

Royal Assent July 4 [33 & 34 Vict. c. 24]

**Metropolitan Buildings and Management Bill** (*Sir William Tite*, *Mr. Bowring*)

c. Ordered; read 1<sup>o</sup>\* Mar 18 [Bill 80]  
 Bill withdrawn\* June 20

**Metropolitan Corporation of London Bill** (*Mr. Buxton*, *Mr. Thomas Hughes*)

c. Ordered; read 1<sup>o</sup>\* and referred to the Examiners of Petitions for Private Bills Mar 7 [Bill 66]

**Metropolitan Regulations Bill** [*H.L.*] (*The Marquess Townshend*)

l. Presented; read 1<sup>st</sup>\* May 5 (No. 85)  
 Bill withdrawn, after short debate July 7, [202] 1595

**Mexico, State of**

Question, Mr. H. B. Sheridan; Answer, Mr. Otway June 30, [202] 1205

**MIALL, Mr. E., Bradford**

Burials, 2R. [200] 560

Census, 2R. [203] 809

Elementary Education, 2R. [199] 2026, 2027; Comm. Motion for Adjournment, [202] 596, 626, 629; cl. 7, 1051; cl. 17, 1313; cl. 32, 1481; 3R. [203] 741

Globe Loans (Ireland), 2R. [203] 976

University Tests, Comm. cl. 3, [201] 1956; Proviso 1, 1971

**MILBANK, Mr. F. A., Yorkshire, N.R.**

Licence Duties—Farm Horse Licences, [199] 174

**Militia Acts Amendment Bill** [*H.L.*]

(*The Earl Russell*)

l. Presented; read 1<sup>st</sup>\* August 1 (No. 266)  
 Moved, "That the Bill be now read 2<sup>nd</sup>\*" August 2, [203] 1887; after short debate, Motion withdrawn

**Militia Acts Amendment (No 2) Bill** [*H.L.*] (*The Lord Northbrook*)

l. Presented; read 1<sup>st</sup>\* August 4, [203] 1517  
 Read 2<sup>nd</sup>\*; Committee negatived August 5  
 Read 3<sup>rd</sup>\* August 6 (No. 293)  
 c. Read 1<sup>o</sup>\* August 6 [Bill 262]  
 Read 2<sup>o</sup>\*; Committee; Report; read 3<sup>o</sup>\* August 8  
 l. Royal Assent August 9 [33 & 34 Vict. c. 63]



**Militia Pay Bill** (*Mr. Dodson, Mr. Secretary Cardwell, Captain Vivian*)

c. Ordered \* July 19

**MILLER, Mr. J., Edinburgh (City)**

Army—Military Stores, [201] 965

Small Arms, [203] 1194

Army Estimates—Miscellaneous Services, Amendt. [203] 431

Census, Comm. cl. 6, Amendt. [203] 1011, 1147

Church Rates (Scotland), 2R. [199] 1595

Habitual Criminals Act, [199] 1236

Habitual Drunkards, Res. [199] 1245

Ordnance Maps, [199] 1139

Public Prosecutions, Motion for a Committee, [201] 470

Scotland—Sheriffs, [199] 1961

Sheriffs (Scotland) Act Amendment, Comm. [203] 467; cl. 5, 470

Supply—Home Department, [202] 394

Ordnance Survey, [203] 920

**MILLES, Hon. G. W., Kent, East**

Malting Regulations, [201] 324

**MILLS, Mr. C. H., Kent, W.**

Navy—Woolwich Dockyard, [201] 1406

**MILTON, Viscount, Yorkshire, W. R.—S.**

British Columbia—Island of St. Juan, [199] 1236

Water Boundary, [200] 724, 725, 832, 1605

Canada Railway Loan, Res. [201] 1852

Hudson's Bay Company, [201] 327, 328, 968; Explanation, 1059, 1061, 1062

Kensington Road Improvement, [202] 714

Mines Regulation, &c. 2R. [199] 619

United States—Water Boundary, [199] 1738

**Mines Regulation and Inspection Bill**

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)

c. Motion for Leave (*Mr. Bruce*) Feb 10, [199] 152; Bill ordered; read 1<sup>o</sup> \* [Bill 12]

Bill read 2<sup>o</sup>, after debate Feb 21, 594

Committee \*; Report April 25 [Bill 104]

*Shale Mines*, Question, Sir R. Anstruther;

Answer, Mr. Bruce April 28, [200] 1966

Order for Committee read and discharged;

Bill withdrawn \* July 18

*Mines, Regulation of*

Report of the Commissioners, 1862, to be reprinted, without the evidence (*The Lord Kinnaird*) Feb 15, [199] 323

*Shale Mines*, Question, Sir Robert Anstruther;

Answer, Mr. Bruce April 28, [200] 1966

**MINTO, Earl of**

Contagious Diseases, [201] 1266

Parochial Schools (Scotland), [200] 307

Scotland—Police System, [200] 309

*Mint, The Royal*

Motion for Returns (*The Lord Kinnaird*) Feb 17, [199] 425; Motion amended, and agreed to *Parl. P.* 30

[cont.]

*Mint, The Royal*—cont.

Moved, "That a Select Committee be appointed to inquire into the past and present management of Her Majesty's Royal Mint" (*The Lord Kinnaird*) July 18, [203] 382; after debate, Motion withdrawn

*Coinage*, Motion for Returns (*The Lord Kinnaird*) Mar 18, [200] 199; after short debate, Motion negatived

*Coinage for Foreign Countries*, Question, Mr. Dixon; Answer, The Chancellor of the Exchequer May 5, [201] 273; Observations, Mr. Muntz; Reply, The Chancellor of the Exchequer; debate thereon June 10, 1869

*Coinage, International*, Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer Mar 7, [199] 1371

*Site of the*, Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer Mar 10, [199] 1626

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**MITFORD, Mr. W. T., Midhurst**

Contagious Diseases Acts Repeal, Leave, [203] 604

Vaccination Act Amendment, 2R. [202] 1592

*Mona Brick and Tile Company*

Question, [Mr. Brodriek; Answer, Mr. Stansfeld July 28, [203] 1092

**MONCK, Viscount**

Colonies, British, [199] 223

Irish Land, 2R. [202] 94, 98; Comm. cl. 3, 879; add. cl. 1061; cl. 19, Amendt. 1066

Parliament—Address in Answer to the Speech, [199] 53

**MONK, Mr. C. J., Gloucester**

Benefices, 2R. [201] 546

Canada—Intercolonial Railway Loan, [200] 1702

Canada Railway Loan, Res. [201] 1844, 1851

Civil Service Pensions, [201] 460

Clerical Disabilities, Comm. cl. 7, Amendt. [202] 1692; Lords Amendts. [203] 1726

Conventual and Monastic Institutions, Motion for a Committee, [200] 1597, 1598, 2032

Foreign Enlistment, Consid. [203] 1551; Amendt. 1553, 1554

Greece—Anemoyanni, Alexander, The Courier, [201] 1192

Constitution of, [201] 1768

Murder of British Subjects in, [200] 1730; [203] 1233

Judicial Committee, Comm. cl. 2, [203] 1724

Life Assurance Companies, Comm. cl. 7, [202] 1177

Marriage with a Deceased Wife's Sister, Comm. [200] 1920

Metropolis—Spanish Bull Fights at Islington, [200] 989

Navy Estimates—Dockyards, &c. [199] 1318

Queen Anne's Bounty (Superannuation), 2R. [203] 1016, 1027

Revenue Officers, Motion for a Committee, [199] 697, 706

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MONK, Mr. C. J.—*cont.*

- Supply—Consular Services, [203] 1242
- Embassy Houses, Constantinople, &c. Report, [203] 978
- Flax Cultivation (Ireland), [203] 1248
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- Turkey—British Embassy at Pera, [203] 1196, 1281

MONSELL, Right Hon. W. (Under Secretary of State for the Colonies), *Limerick Co.*

- Africa, South, [199] 590
- Africa, West Coast of—Case of Mr. Huggins, [201] 741, 1842
- Army—18th Regiment, [200] 1728
- British Columbia, 2R. [203] 1563
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Mortgage Debenture Act (1865) Amend-  
ment Bill (*Mr. West, Lord Garlies, Mr.*  
*Staveley Hill*)

c. Ordered; read 1<sup>o</sup> \* *Mar 17* [Bill 78]  
Read 2<sup>o</sup> \* *April 27*  
Committee \*; Report; Considered *May 4*  
Considered \* *May 6*  
Read 3<sup>o</sup> \* *May 9*  
l. Read 1<sup>o</sup> \* (*The Lord Greville*) *May 10*  
Read 2<sup>o</sup> \* *May 27* (No. 89)  
Committee \* *May 30* (No. 121)  
Report \* *May 31*  
Read 3<sup>o</sup> \* *June 13*  
Royal Assent *July 4* [33 & 34 *Vict. c. 20*]

Mortgages Bill (*Mr. Dodds, Mr. Pease, Mr.*  
*Bolckow, Mr. Wren-Hoskyns*)

c. Motion for Leave (*Mr. Dodds*) *Feb 17*, [199]  
498; Bill ordered; read 1<sup>o</sup> \* [Bill 35]  
Bill withdrawn \* *Feb 28*

Mortgages (No. 2) Bill (*Mr. Dodds, Mr.*  
*Pease, Mr. Bolckow, Mr. Wren-Hoskyns*)

c. Ordered; read 1<sup>o</sup> \* *Feb 28* [Bill 52]  
Read 2<sup>o</sup> \* *Mar 9*  
Committee \*—R.P. *June 22*  
Bill withdrawn \* *July 7*

MOWBRAY, Right Hon. J. R., *Oxford*  
*University*

Public Schools, Motion for an Address, Mo-  
tion for Adjournment, [200] 1381  
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1953; *cl. 3*, 1958; Proviso 1, 1973; Preamble,  
1981; Consid. [202] 1393, 1395; 3R. 1466

MUNDELLA, Mr. A. J., *Sheffield*

Ceylon—Currency of, [201] 1057  
Contagious Diseases Acts Repeal, Leave, [201]  
1346  
Elementary Education, Leave, [199] 477; 2R.  
[200] 236; Comm. [202] 895; *cl. 7*, 1037;  
*cl. 27*, 1405; *cl. 65*, 1729; Amendt. 1751;  
*add. cl.* [203] 268; Consid. *cl. 27*, 498, 499;  
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1172; *cl. 10*, 1227  
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[200] 1709  
Stamp Duties, Comm. *cl. 49*, [203] 1561; *cl. 51*,  
1562  
Truck Acts—Motion for a Commission, [203]  
137, 143, 152  
War Office, 2R. [199] 784

Municipal Boroughs (Metropolis) Bill

(*Mr. Buxton, Mr. Thomas Hughes*)

c. Ordered; read 1<sup>o</sup> \* *Mar 7* [Bill 65]  
Moved, "That the Bill be now read 2<sup>o</sup>"  
*May 18*, [201] 854  
Amendt. to leave out "now," and add "upon  
this day six months" (*Mr. Bentinck*);  
after debate, Question put, "That 'now,'  
&c.;" A. 130, N. 66; M. 64; main Ques-  
tion put, and agreed to; Bill read 2<sup>o</sup>, and  
committed to a Select Committee

Municipal Franchise (Ireland) Bill

(*Mr. William Johnston, Mr. McClure*)

c. Ordered; read 1<sup>o</sup> \* *June 21* [Bill 176]  
Question, Sir Frederick W. Heygate; Answer,  
Mr. W. Johnston *July 1*, [202] 1305  
Bill withdrawn \* *July 1*

MUNTZ, Mr. P. H., *Birmingham*

Army—Volunteer Capitation Grant, [203] 735  
Army Estimates—Militia, &c. [201] 1834  
Coinage Contracts, [201] 1869  
Customs and Inland Revenue, Comm. *cl. 23*,  
[201] 1812  
East India (Council of State), Res. [201] 845,  
846  
Elementary Education, [202] 1673; Consid.  
*cl. 27*, [203] 499  
Emigration, Res. [199] 1039, 1062, 1063  
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Gun Licences, 2R. [201] 1682; Comm. *cl. 3*,  
Amendt. [202] 853  
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[203] 1046  
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Navy Estimates—Naval Stores, [201] 1747  
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[200] 648  
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[203] 1562  
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680  
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*Munzinger, Mr., Case of*

Question, Mr. Melly; Answer, Mr. Otway  
Mar 3, [199] 1142

**MURPHY, Mr. N. D., Cork City**

Irish Land, Comm. add. cl. [201] 1030, 1031,  
1257, 1261; Consid. 1413; 3R. 1626; Lords  
Amendts. [203] 129  
Peace Preservation (Ireland), 2R. [200] 477

**Mutiny Bill** (Mr. Dodson, Mr. Secretary  
Cardwell, The Judge Advocate)

- c. Ordered \* Mar 4  
Read 1<sup>o</sup> \* Mar 11  
Read 2<sup>o</sup> \* Mar 14  
Committee \*; Report Mar 21  
Read 3<sup>o</sup> \* Mar 22  
l. Read 1<sup>a</sup> \* (The Lord Northbrook) Mar 24  
Read 2<sup>a</sup> \* Mar 25  
Committee \*; Report Mar 28  
Read 3<sup>a</sup> \* Mar 29  
Royal Assent April 4 [33 Vict. c. 7]

*Natal—Withdrawal of Troops from*

Question, Mr. R. Fowler; Answer, Mr. Monsell  
April 29, [200] 2060

*National Debt*

Moved, "That, in the opinion of this House, it  
is desirable that some decisive step should be  
taken substantially and gradually to reduce  
the National Debt" (Mr. Lambert) July 5,  
[202] 1494; Amendt. to leave out "that some  
decisive step should be taken" (Mr. Chan-  
cellor of the Exchequer); after long de-  
bate, Question, "That the words, &c." put,  
and negatived; main Question, as amended,  
put, and agreed to

**National Debt Bill**

(Mr. Stansfeld, Mr. Chancellor of the Exchequer)

- c. Ordered; read 1<sup>o</sup> \* July 12 [Bill 213]  
Read 2<sup>o</sup> \* July 18  
Committee \*; Report July 25  
Read 3<sup>o</sup> \* July 26  
l. Read 1<sup>a</sup> \* (The Marquess of Lansdowne) July 28  
Read 2<sup>a</sup> \* August 2 (No. 249)  
Committee \* August 4  
Report \* August 5  
Read 3<sup>a</sup> \* August 6  
Royal Assent August 9 [33 & 34 Vict. c. 71]

**National Debt (Consolidation and Divi-  
dends) Bill** (Mr. Dodson, Mr. Chancellor  
of the Exchequer, Mr. Stansfeld)

- c. Acts considered in Committee; Bill ordered;  
read 1<sup>o</sup> \* Feb 14 [Bill 21]  
Bill withdrawn \* June 17

*National Gallery—The New*

Motion for "Copies of Correspondence between  
the Office of Works and the Architect of the  
new National Gallery respecting the designs  
for the new building" (Viscount Hardinge)  
Mar 21, [200] 315; after short debate,  
Motion withdrawn

*National Gallery—The New—cont.*

Amendt. on Committee of Supply May 20,  
To leave out from "That" and add "there  
be laid before this House, Copy of Cor-  
respondence between Her Majesty's Office of  
Works and the Architect of the New Na-  
tional Gallery, in continuation of the Return  
to the Order of the House of Commons  
(10th March 1869), and of the Report of the  
Architect to the First Commissioner of  
Works" (Mr. Beresford Hope), [201] 1063;  
Question proposed, "That the words, &c.;"  
after debate, Amendt. withdrawn  
Papers relating to . Parl. P. 319, 319-I

*Evening Admission to*, Amendt. on Committee  
of Supply May 6, To leave out from "That"  
and add "in the opinion of this House, it is  
desirable that the National Gallery and cer-  
tain portions of the British Museum should  
be opened for the inspection of the public  
between the hours of seven and ten in the  
evening at least three evenings in the week"  
(Mr. Allen), [201] 330; Question proposed,  
"That the words, &c.;" after debate,  
Amendt. withdrawn

*Enlargement of the*, Question, Mr. Beresford  
Hope; Answer, Mr. Ayrton Feb 11, [199]  
171; July 25, [203] 894

*The Turner Collection*, Question, Mr. Lambert;  
Answer, Mr. Ayrton June 17, [202] 382

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*Natural History Museum*

Question, Mr. Beresford Hope; Answer, The  
Chancellor of the Exchequer July 4, [202]  
1381

*Naturalization Act*

Question, Mr. Campbell; Answer, Mr. Bruce  
August 5, [203] 1577

**Naturalization Bill** (The Lord Chancellor)

- l. Presented; read 1<sup>a</sup> \* Feb 25 (No. 18)  
199] Bill read 2<sup>a</sup>, after debate Mar 3, 1118  
. Committee, after debate Mar 10, 1604  
200] Report Mar 17, 65 (No. 31)  
Read 3<sup>a</sup> \* Mar 18 (No. 39)  
c. Read 1<sup>o</sup> \* Mar 22 [Bill 86]  
Read 2<sup>o</sup> \* April 1  
. Committee; Report April 25, 1734  
. Considered April 28, 2020  
Read 3<sup>o</sup> \* May 2  
l. Commons Amendts. agreed to, after short debate  
201] May 9, 390 (No. 79)  
Royal Assent May 12 [33 Vict. c. 14]

*Naturalization—Rights of Aliens*

Observations, Mr. Hadfield; Reply, Mr. Bruce  
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*Admiralty Anchors*, Question, Mr. Rylands ; Answer, Mr. Baxter *May* 26, [201] 1405

*Admiralty Contracts*, Question, Sir James Elphinstone ; Answer, Mr. Baxter *August* 1, [203] 1273

*Admiralty, Officers of the*, Question, Sir John Hay ; Answer, Mr. Childers *July* 25, [203] 873

*Admiralty, Organization of*—see title *Navy*—*Admiralty*

*Admiralty, Pension Branch*, Question, Sir James Elphinstone ; Answer, Mr. Baxter *June* 28, [202] 1089

*Admiralty, Secretary's Department*, Question, Lord Henry Lennox ; Answer, Mr. Childers *Feb* 15, [199] 327

*Admiralty Shipping Agents*, Question, Mr. Bayley Potter ; Answer, Mr. Baxter *May* 26, [201] 1406

*Admiralty Stores, Sale of*, Questions, Sir John Hay, Mr. Gourley ; Answers, Mr. Baxter ; short debate thereon *Feb* 28, [199] 887—*Sale of, at Woolwich Dockyard*, Question, Mr. Heygate ; Answer, Mr. Baxter *July* 21, [203] 633

*Africa*—see title *Navy*—*African Squadron*

*Armour Plates*, Question, Captain Beaumont ; Answer, Mr. Childers *July* 18, [203] 412

"*Britannia*," *Sickness on Board the*, Question, Sir John Hay ; Answer, Mr. Childers *Mar* 17, [200] 74

*Cheyne, Lieutenant, Case of*, Observations, Sir John Hay ; Reply, Mr. Childers ; short debate thereon *Mar* 4, [199] 1248

*Coal for the Navy*—H.M.S. "*Megara*," Question, Sir John Hay ; Answer, Mr. Childers *April* 1, [200] 1049—*Purchases*, Question, Sir John Hay ; Answer, Mr. Baxter *July* 1, [202] 1305 ; Observations, Mr. Fothergill ; Reply, Mr. Childers ; debate thereon *July* 29, [203] 1196 ; Personal Explanation, Sir John Hay ; Reply, Mr. Childers *August* 8, 1697

*Coastguard*, Amendt. on Committee of Supply *Feb* 25, To leave out from "That" and add "in the opinion of this House, it is inexpedient to retire young, efficient, and meritorious officers, and to replace them by others at an increased charge to the public" (*Sir John Hay*), [199] 844 ; Question proposed, "That the words, &c.," after short debate, Amendt. withdrawn Orders of Council *P. P.* 365

*Coastguard Service—Returns*, Question, Mr. Roden ; Answer, Mr. Childers *Feb* 24, [199] 768 *Parl. P.* 410

*Dockyards*

*Chatham Dockyard*, Question, Mr. Cawley ; Answer, Lord John Hay *June* 30, [202] 1212

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*Deptford Dockyard*, Question, Sir John Hay ; Answer, Mr. Childers *April* 11, [200] 1600—*Sale of*, Question, Viscount Mahon ; Answer, Mr. Baxter *July* 22, [203] 735 ; Question, Mr. Eykyn ; Answer, Mr. Childers *August* 10, 1771

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*Dockyard Superannuations*, Question, Mr. Stone ; Answer, Mr. Childers *April* 4, [200] 1168

*Private Firms and the Royal Dockyards*, Question, Sir James Elphinstone ; Answer, Mr. Childers *May* 24, [201] 1272

*Discharged Dockyard Workmen*

*Devonport Yard, Discharges from*, Question, Mr. J. D. Lewis ; Answer, Mr. Childers *Feb* 24, [199] 766

*Discharged Dockyard Workmen*, Question, Mr. Morrison ; Answer, Mr. Stansfeld *Mar* 18, [200] 208

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*Dockyards, Discharges from the*, Question, Sir John Hay ; Answer, Mr. Childers *Feb* 21, [199] 587

*Portsmouth Dockyard—Discharged Men*, Question, Mr. Stone ; Answer, Mr. Baxter *July* 4, [202] 1353

*Sheerness Dockyard—Discharge of Workmen*, Question, Mr. Pemberton ; Answer, Mr. Childers *Mar* 29, [200] 830

*Emigration of Artizans by Troop Ships*, Question, Sir James Lawrence ; Answer, Mr. Childers *Mar* 28, [200] 730 ; *May* 10, [201] 463

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*Freight, Alleged Monopoly of*, Question, Mr. Gourley ; Answer, Mr. Childers *May* 20, [201] 1056

*Generals of Marines*, Question, Colonel French ; Answer, Mr. Childers *Feb* 17, [199] 433

*Government Stores—the Victualling Yards*, Question, Mr. Holms ; Answer, Mr. Baxter *May* 12, [201] 574 *P. P.* 136

*Greenwich Hospital—The "Greenwich Sixpence"*, Question, Mr. Ward Jackson ; Answer, Mr. Shaw Lefevre *Feb* 21, [199] 585—*Admiralty Livings*, Question, Mr. Hodgson ; Answer, Mr. Childers *Mar* 14, 1873

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*Harbours of the Colonies and of India*, Question, Mr. W. H. Smith ; Answer, Mr. Childers *August* 8, [203] 1690

"*Hercules*," *Guns of the*, Question, Captain Egerton ; Answer, Mr. Childers *Feb* 11, [199] 172

*Hill, Case of Sergeant Jacob*, Question, Sir James Elphinstone ; Answer, Mr. Childers *August* 8, [203] 1696

*Increase of Force—The Franco-Prussian War*, Questions, Mr. R. W. Duff, Mr. J. Lowther ; Answers, Mr. Baxter, Mr. Cardwell ; debate thereon *August* 3, [203] 1495

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*Iron-Clads, New*, Question, Mr. Laird ; Answer, Mr. Childers *July 21*, [203] 635

*Johnstone, Admiral Sir William Hope*, Question, Sir Graham Montgomery ; Answer, Mr. Childers *July 25*, [203] 869

*Key, Rear-Admiral Cooper*, Observations, Sir John Hay ; Reply, Mr. Childers ; debate thereon *June 10*, [201] 1884

*Letters of Officers on Foreign Stations*, Question, Lord Henry Scott ; Answer, The Marquess of Hartington *May 16*, [201] 742 ; Question, Lord Henry Scott ; Answer, Mr. Stansfeld *May 23*, 1191

[See title *Navy—Case of Commander Gurdon*]  
*Medals for Japan*, Question, Mr. W. E. Price ; Answer, Mr. Childers *Mar 8*, [199] 1479

*Medical Officers (West Coast of Africa)*, Observations, Mr. Raikes [House counted out] *June 14*, [202] 128

*Navy Estimates*, Question, Sir John Hay ; Answer, Mr. Childers *Mar 4*, [199] 1241 ; Observations, Mr. Corry ; Reply, Mr. Baxter ; debate thereon *May 31*, [201] 1703

*New Zealand Medal*, Question, Sir John Hay ; Answer, Mr. Baxter *May 9*, [201] 392

*Pensions for Flag Officers*, Question, Mr. Hanbury-Tracy ; Answer, Mr. Childers *May 19*, [201] 969

*Red Sea Survey*, Question, Mr. Gourley ; Answer, Mr. Childers *April 29*, [200] 2059

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*Channel and Mediterranean Squadrons—Cruise of the*, Question, Mr. Gourley ; Answer, Mr. Childers *Feb 11*, [199] 165 Reports *P. P.* 77

"*Flying Squadron*," *The*, Question, Sir John Hay ; Answer, Mr. Childers *May 26*, [201] 1408 ; *July 29*, [203] 1238

"*Inconstant*" and "*Volage*," Question, Mr. Corry ; Answer, Mr. Baxter *July 11*, [203] 29

"*Monarch*" and "*Captain*," *Trials of the*, Question, Mr. Graves ; Answer, Mr. Baxter *July 5*, [202] 1459 ; Question, Mr. Samuelson ; Answer, Mr. Childers *July 29*, [203] 1203 Reports—*P. P.* 402

*Resignation of Mr. Reed, Chief Constructor of the Navy*, Question, Mr. Osborne ; Answer, Mr. Childers *July 18*, [203] 413

*Retirement in the Navy*—see title *Navy—Naval Retirement*

*Sale of Admiralty Steamships*, Question, Mr. Gourley ; Answer, Mr. Baxter *May 20*, [201] 1054

*Sir Spencer Robinson*, Explanation, Mr. Childers *Mar 18*, [200] 210

*State of the Navy*, Question, Sir James Elphinstone ; Answer, Mr. Childers *July 18*, [203] 415 ; Question, Mr. Eykyn ; Answer, Mr. Childers *August 5*, 1580

*Stores, Naval—Supplies on hand*, Questions, Sir John Hay, Mr. Whitwell ; Answers, Mr. Childers *August 8*, [203] 1694

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*Suez Canal, The—Grounding of "Royal Oak" and "Prince Consort" near Port Said*, Question, Sir Stafford Northcote ; Answer, Mr. Childers *Feb 24*, [199] 770

*The "Mutine," Sale of the*, Question, Mr. Mellor ; Answer, Mr. Baxter *Mar 21*, [200] 319

*The Whitworth Gun*, Question, Sir John Hay ; Answer, Mr. Childers *Feb 11*, [199] 171 ; *Feb 17*, 429 ; *Feb 21*, 591

Amend. on Committee of Supply *Mar 3*, To leave out from "That" and add "further trials of Whitworth Guns are inexpedient" (*Sir John Hay*), 1150 ; Question proposed, "That the words, &c.," after short debate, Amend. withdrawn ; Question, Sir John Hay ; Answer, Mr. Childers *May 17*, [201] 812

*Trinity House—Code of Buoyage*, Question, Mr. Graves ; Answer, Mr. Shaw Lefevre, *Mar 8*, [199] 1478

*Navy—Admiralty*

Motion for "Copy of Correspondence between the Admiralty and the Treasury, &c., relative to the organization of the Admiralty : Naval Promotion and Retirement : the condition and organization of the Naval Hospitals : Report by the Earl of Camperdown on the arrangements of Her Majesty's Victualling Yard," [and other Papers] (*The Duke of Marlborough*) *Mar 21*, [200] 307 ; after short debate, Motion amended, and agreed to Returns—*Parl. P.* 46

*Navy—African Squadron*

Moved, "That, in the opinion of this House, the African Squadron ought to be materially reduced at the earliest practicable date" (*Mr. Rylands*) *Mar 29*, [200] 833 ; after debate ; Motion withdrawn

*Navy—Case of Commander Gurdon*

*Letters to the Public Journals—Commander Gurdon*, Question, Mr. R. Shaw ; Answer, Mr. Childers *April 7*, [200] 1426

Amend. on Committee of Supply *May 26*, To leave out from "That" and add "any new Regulation prohibiting Naval Officers on half-pay or retired pay from writing letters to the public journals which may be decided upon by the Board of Admiralty be laid before this House" (*Sir John Hay*), [201] 1442 ; Question proposed, "That the words, &c.," after short debate, Amend. withdrawn

*Navy—Chatham, Portsmouth, and Deptford Dockyards*

Amend. on Committee of Supply *May 31*, To leave out from "That" and add "a Select Committee be appointed to inquire into the circumstances and causes which have led to the large increase in the cost of the works for the extension of the Dockyards at Chatham and Portsmouth beyond the amounts set forth in the Act 28 and 29 Vic. c. 51, and what variations, if any, have been made or ordered from the works described in the said Act ; also, whether the works included in the contracts made by authority of that Act, and laid before Parliament, are being exe-



*Navy—Chatham, Portsmouth, and Deptford Dockyards—cont.*

cutted in accordance with the drawings attached to such contracts, and as to the authority under which alterations have been made, and what has been or will be the effect on the cost of the works by such alterations; also, into the circumstances which have led to the disposal of Deptford Dockyard for an amount so much below the value thereof stated in the Stock Valuation Account" (*Mr. Cawley*), [201] 1715; after debate, Question put, "That the words, &c.;" A. 142, N. 83; M. 59

*Navy—Naval Retirement*

Amendt. on Committee of Supply Mar 17, To leave out from "That" and add "it is inexpedient to retire Flag Officers from the active list of the Navy for any other cause but age or physical infirmity, and thus add to the public charge" (*Lord Henry Lennox*), [200] 127; Question proposed, "That the words, &c.;" after long debate, Question put; A. 169, M. 136; M. 33

Return l.—P. P. 310

Moved, "That there be laid before the House, Copies of any Correspondence between Flag Officers and the Admiralty relative to the last scheme of retirement" (*The Duke of Somerset*) July 15, [203] 318; after debate, Motion agreed to

Question, Mr. Corry; Answer, Mr. Baxter July 11, [203] 30

*Retirement of Sir Spencer Robinson and Mr. Reed*, Questions, Sir George Grey, Sir John Pakington; Answers, Mr. Gladstone June 27, [202] 1003

*Sir Thomas Symonds*, Questions, Mr. Corry, Sir James Elphinstone; Answers, Mr. Baxter July 12, [203] 116

*The new Scheme*, Question, Mr. Eastwick; Answer, Mr. Childers Mar 17, [200] 67; Question, Sir John Hay; Answer, Mr. Childers, 76; Question, Mr. Hanbury-Tracy; Answer, Mr. Childers Mar 24, 573; Question, Sir James Elphinstone; Answer, Mr. Childers Mar 29, 831; April 7, 1427

*NELSON, Earl*

Elementary Education, Comm. cl. 7, [203] 1163, 1164

Prayer Book (Table of Lessons), Preamble, [203] 103

*Neutrality Laws, The*

*Contraband of War—Horses*, Question, Observations, The Marquess of Clanricarde; Reply, Earl Granville July 22, [203] 729

*Report of the Commission*, Question, Mr. W. H. Gregory; Answer, Mr. Otway Mar 31, [200] 988

*Supplying Belligerents with Coals*, Question, Mr. Stapleton; Answer, Mr. Gladstone August 1, [203] 1278

*NEVILLE-GRENVILLE, Mr. R., Somersetshire, Mid.*

Army—Cadets at Woolwich, [199] 167

Yeomanry Cavalry, [199] 166

Army Estimates—Land Forces, [199] 1223

Yeomanry Cavalry, [201] 1838

[cont.]

*NEVILLE-GRENVILLE, Mr. R.—cont.*

Bridgwater and Beverley Disfranchisement, 2R. [200] 1796

Cattle Disease, [202] 1617

Charity Commissioners' Report, [201] 573

Corrupt Practices at Elections, Motion for a Return, [202] 1552

Elementary Education, Comm. cl. 7, [202] 1109

Lord Privy Seal, Office of, Res. [203] 891

Parliament—Public Business, [200] 1719

Railway Travelling, 2R. [199] 1114

Supply—Civil Service Estimates, [199] 1575

Grants for Civil Services, [199] 1955, 1957

Houses of Parliament, [203] 917

Offices of the House of Commons, [202] 387

Offices of the House of Lords, [202] 384

Ordnance Survey, [203] 919

Patent Office, [203] 376

Privy Council Office, [202] 404

Treasury, [202] 390

Ways and Means, Res. 7, [200] 1723

*NEWDEGATE, Mr. C. N., Warwickshire, N.*

Army Estimates—Volunteer Corps, [203] 416

Atkins, Convict, Case of the, [199] 806, 850, 857

Ballot, 2R. [200] 45; Motion for Adjournment, 46, 59

Bible (Authorized Version), Motion for an Address, [202] 122

Burials, 2R. [200] 557

Clerical Disabilities, 2R. [201] 1378

Coinage Contracts, [201] 1883

Contagious Diseases Acts Repeal, Leave, [201] 1343

Conventual and Monastic Institutions, Motion for a Committee, [200] 872, 905, 1588, 1595, 1597, 1598, 1728, 2026, 2029, 2030, 2032, 2033; [201] 6; Nomination of Committee, 52, 55, 56, 74, 75, 76, 81, 531; Amendt. 1262, 1263

Customs and Inland Revenue, Comm. cl. 19, [201] 1808, 1809; cl. 21, *ib.*

Ecclesiastical Titles Act Repeal, 2R. Amendt. [203] 1528, 1548; Comm. cl. 1, 1594; cl. 2, 1596, 1597

Elementary Education, Comm. cl. 14, [202] 1269; Schedule II, [203] 293, 313; Consid. cl. 92, 502

Emigration, Res. [199] 1051

France—Commercial Treaty, [199] 177; Motion for a Committee, [201] 167, 173

Glebe Loans (Ireland), Comm. Motion for Adjournment, [203] 1145; Consid. Amendt. 1384; 3R. Motion for Adjournment, 1483, 1484

Gun Licences, Comm. [202] 852; cl. 3, 853; cl. 7, 856; 3R. [203] 770

Harrow and Winchester Schools, Res. [203] 984

Ireland—Coote, Captain, Case of, Res. [199] 1916

Irish Land, Leave, [199] 389; Comm. [200] 735; cl. 2, 1052; cl. 3, 1489; add. cl. [201] 778

Malt Tax, Res. [199] 1288

Parliament—Address in Answer to the Speech, [199] 105

Bills in Progress, [203] 1284

Parliament—Sittings of the House, Res. [202] 706

Parliamentary Elections, Leave, [201] 447

[cont.]

NEWDEGATE, Mr. C. N.—*cont.*

- Peace Preservation (Ireland), 2R. [200] 336 ;  
Comm. cl. 27, 630, 673  
Prisons, &c. Motion for a Committee, [199] 1078  
Public Schools, Motion for an Address, [201]  
193, 1559 ; Motion for Adjournment, 1684  
Queen Anne's Bounty (Superannuation), 2R.  
[203] 1014  
Representation of the People Act Amendment,  
2R. [202] 164  
Sites for Places of Worship, 2R. [200] 1392,  
1405, 1413, 1414  
Supply—Civil Service Estimates, Motion for  
reporting Progress, [203] 1474  
Treaties of Commerce, [199] 324, 326  
Unemployed Labour, Res. [202] 443  
University Tests, 2R. [201] 1244, 1248 ; Consid.  
[202] 1380 ; 3R. 1461, 1467, 1472  
War Office, 3R. [200] 1762  
Wellington Monument, Motion for Correspondence, [203] 1773, 1775  
Women's Disabilities, Comm. [201] 617

*New Forest*

- Questions, Mr. Goldney, Viscount Enfield ;  
Answers, Mr. Stansfeld *July 26*, [203] 949 ;  
Question, Mr. Cowper-Temple ; Answer, Mr.  
Stansfeld *August 4*, 1526 ; Question, Mr.  
P. A. Taylor ; Answer, Mr. Stansfeld  
*August 8*, 1690

## New Parishes Acts Amendment (1870)

Bill [H.L.] (*The Lord Bishop of Winchester*)

- L. Presented ; read 1<sup>st</sup> May 20* (No. 108)  
*Bill withdrawn \* May 27*

*New Peers*

- Feb 8*—Reginald Windsor Sackville West, Baron  
Buckhurst (by special limitation)  
James Earl of Southesk, created Baron  
Balinhard of Farnell in the county  
of Forfar  
William Earl of Listowel, created  
Baron Hare of Connamore in the  
county of Cork of the United  
Kingdom  
The Right Honourable Edward George  
Fitzalan Howard, created Baron  
Howard of Glossop in the county of  
Derby  
The Right Honourable John Wilson  
Fitz-Patrick, created Baron Castle-  
town of Upper Ossory in Queen's  
County  
Thomas James Agar Robartes, esquire,  
created Baron Robartes of Lanhy-  
drock and of Truro in the county of  
Cornwall  
Fulke Southwell Greville - Nugent,  
esquire, created Baron Greville of  
Clonyn in the county of Westmeath  
*April 28*—George Carr Glyn, esquire, Baron  
Wolverton of Wolverton in the  
county of Buckingham  
*June 13*—Charles William Fitzgerald, esquire,  
(commonly called Marquess of Kil-  
dare), created Baron Kildare of  
Kildare in the county of Kildare  
*June 21*—Right Honourable Thomas O'Hagan,  
created Baron O'Hagan, of Tulla-  
hogue in the county of Tyrone

[*cont.*]*New Peers—cont.*

- June 23*—Sir John Emerich Edward Dalberg-  
Acton, Baronet, created Baron Acton  
of Aldenham in the county of Salop

*Sat First*

- Feb 8*—The Earl of Derby, after the death of  
his Father  
Lord Dynevor, after the death of his  
Cousin  
*Feb 25*—The Viscount Hutchinson, after the  
death of his Father  
*Mar 18*—The Lord Boston, after the death of  
his Father  
*May 5*—The Marquess of Westminster, after  
the death of his Father  
*May 12*—The Earl Howe, after the death of  
his Father  
*June 14*—The Lord Zouche, after the death of  
his Mother  
The Lord Monteagle of Brandon, after  
the death of his Grandfather  
The Lord Hartismore, after the death  
of his Father  
*June 20*—The Lord Auckland, after the death  
of his Father  
*June 23*—The Lord Wigan (Earl of Crawford  
and Balcarres), after the death of  
his Father  
*July 1*—The Lord Hawke, after the death of  
his Cousin  
*July 11*—The Earl of Clarendon, after the  
death of his Father  
*July 14*—The Lord Beaumont, after the death  
of his Father  
*August 4*—The Lord Ranfurly, after the death  
of his Grandfather

- Feb 8*—Samuel Bishop of Winchester  
Arthur Charles Bishop of Bath and Wells  
Harvey Bishop of Carlisle  
Frederick Bishop of Exeter  
John Fielder Bishop of Oxford  
George Bishop of Salisbury  
*Feb 10*—Christopher Bishop of Lincoln  
*Mar 28*—James Bishop of Manchester  
*April 5*—Marcus Gervais Archbishop of Armagh  
*May 12*—Richard Bishop of Chichester  
*June 16*—Robert Bent, Bishop of Down,  
Connor, &c.

*Representative Peers for Ireland*

(Writs and Returns.)

- Feb 25*—The Lord Oranmore and Browne, v.  
Lord Castlemaine, deceased  
*April 7*—The Earl of Lanesborough, v. Lord  
Crofton, deceased

*Representative Peer for Scotland*

(Writ and Return.)

- August 5*—The Earl of Strathmore, v. The  
Earl of Haddington, deceased

*New Writs Issued**During Recess*

- For Chester County* (Eastern Divi-  
sion), v. Edward Christopher Egerton,  
esquire, deceased  
*For Tower Hamlets*, v. Acton Smee  
Ayrton, esquire, First Commissioner  
of Works

[*cont.*]



*New Writs Issued—cont.*

- For Hastings, v. Frederick North, esquire, deceased*  
*For Whitby, v. William Henry Gladstone, esquire, Commissioner of the Treasury*  
*For Glasgow and Edinburgh Universities, v. Right Hon. James Moncreiff, Lord Justice Clerk in Scotland*  
*For Chester City, v. Earl Grosvenor, now Marquess of Westminster*  
*For King's Lynn, v. Lord Stanley, now Earl of Derby*  
*For Merioneth County, v. David Williams, esquire, deceased*  
*For Waterford City, v. John Aloysius Blake, esquire, one of the Inspectors of Irish Fisheries*  
*For Tipperary County, v. Charles Moore, esquire, deceased*  
*For Queen's County, v. Right Hon. John Wilson Fitz-Patrick, now Baron Castletown*  
*For Longford County, v. Colonel Fulke Southwell Greville-Nugent, now Baron Greville*  
*For Mallow, v. Right Hon. Edward Sullivan, Master of the Rolls in Ireland*  
  
*Feb 8—For College of the Holy Trinity of Dublin, v. Anthony Lefroy, esquire, Manor of Northstead*  
*Feb 9—For Southwark, v. Right Hon. Austen Henry Layard, Chiltern Hundreds*  
*For Londonderry City, v. Richard Dowse, esquire, Solicitor General for Ireland*  
*Feb 10—For Bridgnorth, v. Henry Whitmore, esquire, Chiltern Hundreds*  
*Feb 14—For Waterford City, v. Sir Henry Winston Barron, void Election*  
*Feb 17—For Nottingham Town, v. Charles Ichabod Wright, esquire, Chiltern Hundreds*  
*Feb 18—For Roxburgh County, v. Sir William Scott, baronet, Manor of Northstead*  
*For Maidstone, v. William Lee, esquire, Chiltern Hundreds*  
*Mar 21—For Bristol, v. The Honourable Francis Henry Fitz-Hardinge Berkeley, deceased*  
*Mar 25—For Newark, v. Edward Denison, esquire, deceased*  
*April 1—For Devon County (Eastern Division), v. Lord Courtenay, Chiltern Hundreds*  
*April 28—For Mallow, v. Henry Munster, esquire, void Election*  
*For Mayo County, v. George Henry Moore, esquire, deceased*  
*April 29—For Longford County, v. The Honourable Reginald James Macartney Greville-Nugent, void Election*  
*May 18—For Suffolk (Eastern Division), v. Hon. John Major Henniker-Major, called up to the House of Peers*  
*May 27—For Leicester County (Southern Division), v. Viscount Curzon, now Earl Howe*

[cont.]

*New Writs Issued—cont.*

- May 31—For The Isle of Wight, v. Sir John Simeon, baronet, deceased*  
*June 17—For Bristol, v. Elisha Smith Robinson, esquire, void Election*  
*July 6—For Norwich, v. Sir Henry Josias Stracey, baronet, void Election*  
*July 12—For Brecknock, v. Lord Hyde, now Earl of Clarendon*  
*July 15—For Rochester, v. John Alexander Kinglake, esquire, deceased*  
*August 9—For Plymouth, v. Sir Robert Porrett Collier, knight, Recorder of Bristol*  
*August 10—For Dublin City, v. Sir Arthur Edward Guinness, baronet, void Election*

*New Members Sworn*

- Feb 8—Acton Smee Ayrton, esquire, Tower Hamlets*  
*William Cunliffe Brooks, esquire, Chester County (Eastern Division)*  
*William Henry Gladstone, esquire, Whitby*  
*Hon. Reginald James Macartney Greville-Nugent, Longford County*  
*Captain Hugh de Grey Seymour, Antrim County*  
*Samuel Holland, esquire, Merioneth County*  
*Ughtred James Kay-Shuttleworth, esquire, Hastings*  
*Lord Claud John Hamilton, King's Lynn*  
*Edward Strathearn Gordon, Doctor of Laws, Glasgow and Aberdeen Universities*  
*Feb 15—Edmund Dease, esquire, Queen's County*  
*Henry Munster, esquire, Mallow*  
*Feb 17—Lieutenant Colonel Marcus Beresford, Southwark*  
*Hon. David Robert Plunket, College of the Holy Trinity of Dublin*  
*Feb 21—Hon. Norman Grosvenor, Chester City*  
*Feb 22—William Henry Foster, esquire, Bridgnorth*  
*Feb 28—Sir John Lubbock, Maidstone*  
*Mar 1—Richard Dowse, esquire, Londonderry City*  
*Hon. Auberon Edward William Molyneux Herbert, Nottingham Town*  
*Mar 3—Denis Caulfield Heron, esquire, Tipperary*  
*Mar 7—Marquess of Bowmont, Roxburgh*  
*Sir John George Tollemache Sinclair, baronet, Caithness*  
*Ralph Osborne, esquire, Waterford City*  
*Mar 29—Elisha Smith Robinson, esquire, Bristol*  
*April 4—Samuel Boteler Bristowe, esquire, Newark*  
*April 11—John Henry Kennaway, esquire, Devon County (Eastern Division)*  
*May 18—George Waters, esquire, Mallow*  
*May 19—Hon. George Frederick Nugent Greville-Nugent, Longford*  
*May 20—George Ekins Browne, esquire, Mayo*  
*June 9—Viscount Mahon, Suffolk (Eastern Division)*

[cont.]

**New Members Sworn—cont.**

- June 14—Alexander Dundas Whishart Ross  
Baillie Cochrane, esquire, *the County of the Isle of Wight*  
June 16—William Unwin Heygate, esquire,  
*Leicester County* (Southern Division)  
June 27—Kirkman Daniel Hodgson, esquire,  
*Bristol*  
July 14—Jacob Henry Tillett, esquire, *Norwich*  
July 21—Julian Goldsmid, esquire, *Rochester*  
July 26—James Price Gwynne Holford, esquire,  
*Brecknock*

**Newport Election, Riot at**

- Question, Mr. Seely; Answer, Mr. Bruce  
July 4, [202] 1354

**New Romney**

- Question, Mr. W. M. Torrens; Answer, Mr.  
Knatchbull-Hugessen *Mar* 29, [200] 833

**New South Wales—Polynesian Labourers**

- Question, Admiral Erskine; Answer, Mr.  
Monsell *Mar* 7, [199] 1371  
[See title *Slave Trade*]

**New Zealand**

- Question, Mr. Magniac; Answer, Mr. Monsell  
*Feb* 21, [199] 593  
New Zealand Loan, Question, Mr. Salt; An-  
swer, Mr. Stansfeld *May* 20, [201] 1058  
Correspondence . . . . . *Parl. P.* 293  
Relations with, Question, Mr. Magniac; An-  
swer, Mr. Monsell *May* 17, [201] 810  
Withdrawal of Troops, Moved, "That an  
humble Address be presented to Her Ma-  
jesty for copy of Correspondence respecting  
the recall of the 18th Regiment of the Line  
from New Zealand" (*The Earl of Carnarvon*)  
*Mar* 7, [199] 1324; after long debate, Mo-  
tion agreed to—*The 18th Regiment*, Question,  
Mr. R. Torrens; Answer, Mr. Monsell  
*April* 25, [200] 1728  
*Affairs of* . . . . . *Parl. P.* 180 [83]

**New Zealand (Guarantee of Loan) Bill**

- (Mr. Dodson, Mr. Monsell, Mr. Chancellor of  
*the Exchequer*, Mr. Stansfeld)

**c. Resolution in Committee June 30**

- Resolution agreed to, and reported; Bill or-  
dered; read 1<sup>o</sup> \* *July* 1 [Bill 190]  
Read 2<sup>o</sup> \* *July* 7  
Committee\*; Report *July* 11  
Read 3<sup>o</sup> \* *July* 12  
l. Read 1<sup>a</sup> \* (*Earl of Kimberley*) *July* 14 (No. 207)  
Bill read 2<sup>a</sup>, after short debate *July* 19, [203]  
479  
Committee\*; Report *July* 21  
Read 3<sup>a</sup> \* *July* 22  
Royal Assent *August* 1 [33 & 34 *Vict.* c. 40]

**NICOL, Mr. J. C. Dyce, Kincardineshire**

- Cab Regulations, [199] 239  
Customs and Inland Revenue, Comm. add. cl.  
[201] 1814  
Gun Licences, Consid. [203] 699  
India—Old Bank of Bombay, [203] 635  
Metropolis—Serpentine River, [199] 236  
Navy Estimates—Admiralty Office, [201] 1672  
[cont.]

**NICOL, Mr. J. C. Dyce—cont.**

- Public Prosecutions, Motion for a Committee,  
[201] 471  
Scotland—Roads, [199] 766  
Scotland—Poor Law, Motion for a Committee,  
[199] 286  
Sheriffs (Scotland) Act Amendment, Comm.  
[203] 467; cl. 5, 471; cl. 10, Amendt. *ib.*;  
cl. 12, Amendt. 475

**NOEL, Hon. G. J., Rutlandshire**

- Army Enlistment, Comm. cl. 4, [203] 462

**Norfolk Boundary Bill**

- (Mr. Secretary Bruce, Mr. Knatchbull-Hugessen)

- c. Ordered; read 1<sup>o</sup> \* *July* 13 [Bill 217]  
Read 2<sup>o</sup> \* *July* 28  
Committee\*; Report *July* 29  
Considered\*; read 3<sup>o</sup> *August* 1  
l. Read 1<sup>a</sup> \* (*The Earl of Morley*) *August* 2  
Read 2<sup>a</sup> \* *August* 5 (No. 275)  
Committee\*; Report *August* 6  
Read 3<sup>a</sup> \* *August* 8  
Royal Assent *August* 9 [33 & 34 *Vict.* c. 85]

**NORTH, Colonel J. S., Oxfordshire**

- Army—Military Reserve Funds, [201] 1701  
Army—Colonels, Motion for a Committee, [202]  
1169  
Army—Kirwee Prize Money, Motion for an  
Address, [201] 1540  
Army—Staff Appointments, Res. [201] 1824  
Army Enlistment, 2R. [201] 786; Comm.  
[203] 450; cl. 4, 457, 459, 462; Consid.  
695  
Army Estimates—Chelsea and Kilmainham  
Hospitals, [203] 432  
Land Forces, [199] 1206  
Medical Establishments, [201] 1832  
Miscellaneous Expenses, [203] 431  
Reserve Force, [203] 418  
Salaries, &c. War Office, [203] 1465  
Volunteer Corps, [203] 418  
Vote of Credit, [203] 1461  
Gough, Viscount, Statue of, Motion for an  
Address, [203] 770, 780  
India—Army Regulations, [202] 99

**NORTHBROOK, Lord (Under Secretary of  
State for War)**

- Army—Breech-Loaders for Militia and Volun-  
teers, [203] 1269, 1270  
Army Enlistment, 2R. [203] 930, 944, 945,  
946; Comm. cl. 3, 1263; cl. 4, *ib.*; cl. 6,  
1264; 3R. add. cl. 1516, 1517  
Colonies, Address for a Commission, [202] 460  
India—Indian Reliefs, [199] 502  
Militia Acts Amendment, 1R. [203] 1517  
War Office, 2R. [201] 86, 102, 105; Report,  
570, 572

**NORTHCOTE, Right Hon. Sir S. H.,  
Devonshire, N.**

- Ballot, 2R. [200] 51  
Burials, 2R. [200] 553  
East India Company—Explanation, [202] 1202  
[cont.]



NORTHCOTE, Right Hon. Sir S. H.—*cont.*

- 199] Elementary Education, Leave, 496, 497  
202] Comm. *cl.* 14, Amendt. 1236; *cl.* 22, 1823;  
    *cl.* 27, 1403; *cl.* 45, 1640, 1654; *cl.* 46,  
    1659  
203] *cl.* 82, Amendt. 92, 93  
    Fish Preservation, [199] 1742  
    Gun Licences, Comm. *cl.* 3, [202] 854  
    India—Questions, &c.  
        Despatch on Educational Service, [203]  
        244, 245  
        Financial Statement, [199] 881  
        Great Indian Peninsula Railway Company,  
        [202] 1623  
        Presidency Banks, [199] 427  
Navy—Grounding of Ships near Port Said,  
    [199] 770  
    Poor Law—Pontypridd Union, [199] 428  
    Rugby School, [200] 638  
    Salmon Fishing in Devonshire, [199] 1868  
    Supply—Consular Services, [203] 1243  
    University of London, [203] 1144  
    Telegraphs and the Press, [199] 1739

*North German Confederation—Minister at Hamburg*

Question, Mr. Gourley; Answer, Mr. Otway  
Feb 14, [199] 240

*North Lancashire Steam Navigation Company*

Observations, Mr. Hermon; Reply, Mr. Card-  
well June 9, [201] 1819

*North Wales Circuit*

Question, Mr. Bourke; Answer, Mr. Bruce  
April 11, [200] 1606

*Norwich Election*

Commission—New Writ, Question, Mr. C. S.  
Read; Answer, Mr. Bruce Mar 10, [199]  
1629

Prosecutions for Bribery, Question, Mr. Pem-  
berton; Answer, The Solicitor General  
Feb 24, [199] 767

Report and Evidence. *Parl. P.* [13, 14]  
[See title *Corrupt Practices at Elections*]

*Norwich Voters Disfranchisement Bill*

(Mr. Attorney General, Mr. Solicitor General,  
Mr. Secretary Bruce)

- c.* Ordered; read 1<sup>o</sup> \* April 8 [Bill 99]  
Moved, "That the Bill be now read 2<sup>o</sup> "  
April 25, [200] 1806  
Amendt. to leave out "now," and add "upon  
this day three months" (Mr. Frederick Wal-  
pole); after short debate, Question, "That  
'now,' &c." put, and agreed to; main Ques-  
tion put, and agreed to; Bill read 2<sup>o</sup>  
Committee \*; Report May 5  
Considered \* May 6  
Read 3<sup>o</sup> \* May 9  
*l.* Read 1<sup>st</sup> \* (The Lord Chancellor) May 10  
Observations—Petition of A. Bignold—Lord  
Cairns May 24, [201] 1266; Bill read 2<sup>a</sup>  
Committee May 31, 1691 (No. 88)  
Report \* June 13 (No. 128)  
Read 3<sup>a</sup> \* June 14  
*c.* Lords' Amendt. considered June 23, 856  
[*cont.*]

*Norwich Voters Disfranchisement Bill—cont.*

- Amendt. in page 1, line 23, leave out "No,"  
and insert "Neither Arthur Bignold, men-  
tioned in Schedule A, annexed to the said  
Report, nor any," read 2<sup>o</sup> [Bill 165]  
Amendt. to be made thereunto, by inserting  
after the name "Bignold" the words "nor  
Orlando D. Ray" (Mr. Donald Dalrymple);  
Question proposed, "That those words be there  
inserted;" Moved, "That the Debate be now  
adjourned" (Mr. Rylands); Motion with-  
drawn; original Question put, and agreed  
to; Lords' Amendt., as amended, agreed to  
*l.* Royal Assent July 4 [33 & 34 Vict. c. 25]

*NORWOOD, Mr. C. M., Kingston-upon-Hull*

- Bridgwater and Beverley Disfranchisement, 2R.  
[200] 1799  
Elementary Education, Comm. *cl.* 3, Amendt.  
[202] 1007; *cl.* 82, [203] 90; *add. cl.* 269  
Foreign Enlistment, Comm. [203] 1502, 1504;  
*cl.* 8, 1507; *cl.* 19, 1510; Consid. 1555;  
3R. 1593  
Mercantile Marine, Res. [203] 1111  
Merchant Shipping, Leave, [199] 306  
Navy Estimates—Admiralty Office, [201] 1653,  
1672  
Army Department—Conveyance of Troops,  
[203] 1206, 1219  
Supply—County Courts, [203] 992, 994  
Home Department, [202] 394  
Privy Council, Salaries, [202] 406

*Oaths of Allegiance on Naturalization*

Bill (Mr. Attorney General, Mr. Secretary  
Bruce, Mr. Solicitor General)

- c.* Ordered; read 1<sup>o</sup> \* August 4 [Bill 261]  
Read 2<sup>o</sup>; Committee; Report; read 3<sup>o</sup>  
August 5, [203] 1598  
*l.* Read 1<sup>st</sup> \* (The Lord Chancellor) August 5  
Read 2<sup>a</sup> \*; Committee negatived August 8  
Read 3<sup>a</sup> \* August 9 (No. 299)  
Royal Assent August 10 [33 & 34 Vict. c. 102]

*O'BRIEN, Sir P., King's Co.*

- Army—Brevets, [199] 885  
Deaths from Sunstroke on the March,  
[202] 1000, 1615  
Direct Commissions, Examination for,  
[203] 642, 643  
Army Estimates—Land Forces, [199] 1224  
Chelsea Bridge, Res. [199] 712  
Gough, Viscount, Statue of, Motion for an  
Address, [203] 775  
India—Mason, Mr., Case of, Res. [203] 797  
Ireland—Shannon Navigation [Grant], Comm.  
[203] 1042, 1046  
Irish Land, 2R. [199] 1853; Comm. *cl.* 3,  
[200] 1070, 1240  
Peace Preservation (Ireland), Leave, [200] 112;  
Comm. *cl.* 13, 595  
Supply—Lord Lieutenant (Ireland)—Expenses,  
[203] 922  
War, The, [203] 1361

*Oceanica, Expedition to*

Question, Mr. H. Richard; Answer, Mr. Otway  
August 10, [203] 1735

**O'CONOR DON, The, *Rosecommon Co.***

County Coroners (Ireland), 2R. [201] 558  
 Ireland—Shannon Navigation [Grant], Comm.  
 [203] 1041, 1045  
 Ireland—Trinity College, Dublin, Res. [200]  
 1113, 1117  
 Irish Land, Comm. *cl.* 1, [200] 771; *cl.* 3,  
 [201] 11; *cl.* 19, 590; *add. cl.* 1032  
 Parliament—Sligo Borough Writ, [201] 525,  
 527  
 Peace Preservation (Ireland), Comm. *cl.* 13,  
 [200] 592; *cl.* 38, 697

**O'CONOR, Mr. D. M., *Sligo Co.***

Ireland—Irwin, Mr. G., Case of, [202] 1353  
 Sligo and Cashel Disfranchisement, 2R. [202]  
 313

**O'DONOGHUE, The, *Tralee***

Irish Land, 2R. [199] 1537, 1695; Comm.  
*cl.* 1, [200] 1011, 1015; *cl.* 3, 1454  
 Peace Preservation (Ireland), Comm. *cl.* 27,  
 [200] 608

**OGLVY, Sir J., *Dundee***

Irish Land, Comm. *cl.* 3, Amendt. [200] 2002  
 Post Office — Communication with America,  
 [200] 726  
 Scotland—Police Force, [199] 1480

**O'HAGAN, Lord**

202] Irish Land, Comm. *cl.* 1, 750; *cl.* 3, 769, 871;  
*cl.* 4, 967, 969; *cl.* 14, 1061; *add. cl.* 1066;  
*cl.* 19, 1067; *cl.* 41, 1082; Report, *cl.* 3,  
 1431, 1435; *cl.* 22, Amendt. 1454; 3R. 1705;  
*cl.* 74, 1709  
 203] Commons Amendts. *cl.* A, 334; *cl.* 8, 336  
 Settled Estates, 2R. [203] 610

**O'LOGHLEN, Right Hon. Sir C. M. (Judge  
 Advocate General), *Clare Co.***

Army—Military Punishments, [202] 383  
 Irish Land, 2R. [199] 1774

**O'NEILL, Hon. E., *Antrim Co.***

Party Processions (Ireland), 2R. [200] 958

**ORANMORE AND BROWNE, Lord**

Ecclesiastical Titles Act Repeal, 2R. [201] 1489  
 Irish Land, 2R. Amendt. [202] 48; Comm. *cl.* 1,  
 754; *cl.* 3, 769, 775; *cl.* 4, 958, 962, 966;  
*cl.* 40, 1072; Report, *cl.* 3, Amendt. 1434;  
 3R. 1699  
 Landlords and Tenants in England and Scot-  
 land, Motion for Returns, [199] 1619  
 Peace Preservation (Ireland), 2R. [200] 806

**Ordnance Maps, Sale of, in Scotland**

Question, Mr. Miller; Answer, Mr. Ayrton  
 Mar 3, [199] 1139

**Ordnance Survey Works**

Question, Mr. Wren-Hoskyns; Answer, Mr.  
 Ayrton April 11, [200] 1599

**O'REILLY, Mr. M. W., *Longford Co.***

Army—Deaths on the March, [202] 1211  
 Small Arms, Committee on—Martini-Henri  
 Rifle, [203] 869  
 Army—Boxer, Colonel, Case of, Motion for a  
 Committee, [200] 2062, 2076, 2077, 2084,  
 2089  
 Army Enlistment, Comm. [203] 436  
 Army Estimates — Chelsea and Kilmainham  
 Hospitals, [203] 432  
 Land Forces, [199] 1203  
 Warlike Stores, [203] 422  
 Customs Department, Organization of the, [199]  
 1368  
 Elementary Education, 2R. [199] 2066  
 Glebe Loans (Ireland), 2R. [203] 972  
 Irish Land, Comm. *cl.* 1, [200] 764; *cl.* 3,  
 1453, 1998; *cl.* 41, [201] 758; *add. cl.* 775,  
 1009; Consid. *add. cl.* 1431, 1440  
 Peace Preservation (Ireland), Comm. *cl.* 13,  
 [200] 588

**ORMATHWAITE, Lord**

Irish Land, Comm. *cl.* 3, [202] 776

**OSBORNE, Mr. R. B., *Waterford City***

Army—Artillery, The, [203] 1560  
 Defensive Forces of the Country, [203]  
 1279, 1280  
 Royal Horse Artillery, [203] 1525  
 Army Estimates—Warlike Stores, [203] 419,  
 424  
 Ballot, 2R. [200] 38  
 Belgium—Neutrality of, [203] 1777, 1778, 1786  
 Conventual and Monastic Institutions, Nomina-  
 tion of Committee, [201] 55, 56  
 Ecclesiastical Titles Act Repeal. 2R. [203]  
 1547, 1548  
 Fennelly, Mr., Case of, [202] 894  
 Foreign Enlistment, Consid. [203] 1554  
 Horse Racing, Leave, [201] 1354, 1361  
 Ireland—Waterford Election Petition, [202]  
 1209  
 Irish Land, Comm. *cl.* 2, [200] 1054; *cl.* 3,  
 1061, 1294; *cl.* 4, [201] 313; *cl.* 18, 585;  
 Consid. 1414  
 Navy—Reed, Mr., Resignation of, [203] 413  
 Palace of Westminster, Case of Mr. Edward  
 Barry, Res. [201] 702, 703, 706  
 Parliament — Progress of Public Business,  
 [200] 1705  
 Peace Preservation (Ireland), Comm. *cl.* 27,  
 [200] 653, 658  
 War, The, [203] 1321, 1339  
 Ways and Means, Report, Res. 7, [200] 1721

**OTWAY, Mr. A. J. (Under Secretary of**

State for Foreign Affairs), *Chatham*  
 Baltic Ports, Blockade of the, [203] 877  
 Bavaria—French Legation at Munich, [203]  
 1521  
 Belgium, Treaties as to, [203] 1412  
 Brazil—Claims of British Subjects, [202] 786;  
 [203] 1523  
 “Mary Hamilton,” Crew of the, [199] 769;  
 [201] 1949; [203] 1093  
 British Columbia—Island of St. Juan, [199]  
 1238  
 Water Boundary, [200] 724, 1605  
 Brown, Mr. M'Leavy, Case of, [202] 262



OTWAY, Mr. A. J.—*cont.*

Canada—Massacre of Indians, [199] 787  
 China—Questions, &c.  
     Consular Etiquette, [201] 631, 810  
     Convention with, [199] 830  
     Outrages upon Missionaries, [199] 1871 ;  
     [200] 71, 72 ; [203] 872, 873  
     Treaty with—Reported Massacres, [202]  
     1624, 1625  
     Upper Yangtze River, [200] 1602  
 Consular Establishments, [201] 1190  
 Consular Jurisdiction, [199] 771  
 Copyright, International, [201] 1596  
 Cuba—War in, [201] 894 ; [203] 875  
 Diplomatic and Consular Services, Motion for  
     a Committee, [199] 816, 321, 794 ; Res. 546,  
     691  
 Diplomatic Pensions, [201] 110  
 Egypt—Constitution of, [201] 1768  
     Loan, The, [201] 6  
 Foreign Office Agencies, [199] 1139  
 France and Holland, [203] 952  
 France and Prussia—Prizes of War, [203]  
     1195 ;—The Frontier, 1095  
 France—Commercial Treaty, [200] 830, 1727  
 Germany—British Subjects in—The War, [203]  
     1101  
 Greece—Anemoyanni, Alexander, The Courier,  
     [201] 1192  
     Murder of British Subjects, [200] 1730,  
     1731, 1817, 1967 ; [201] 108, 464, 814 ;  
     [202] 265  
 Hamburg, Minister at, [199] 240  
 Hayti—British Merchants in, [202] 1623  
 Heligoland Pilots, [203] 953  
 India—Hart's, Mr., Notes, [199] 998  
 Industrial Classes in Foreign Countries—The  
     Reports, [203] 30  
 Japan—Native Christians, [200] 203  
 Land Tenure on the Continent, [199] 1873  
 Liberated Slaves, [203] 1770  
 Mexico—State of, [202] 1205  
 Munzinger, Mr., Case of, [199] 1142  
 Neutrality Laws, [200] 988  
 Oceanica—Expedition to, [203] 1735  
 Parliamentary Papers in Foreign Languages,  
     [201] 742  
 Persia—Legation at, [199] 1000  
     Postal Communication, [199] 431  
 Portugal—Treaties of Commerce, [199] 434  
 Servia—Affairs of, [199] 430  
 Ship "Chieftain," [203] 245, 246  
 Slave Trade—Treaty with Zanzibar, [199] 119  
 Spain—Questions, &c.  
     Choice of a King—Mr. Layard, and Prince  
     Leopold of Hohenzollern, [203] 32, 650  
     Imprisonment of a British Sailor at Barce-  
     lona, [199] 885  
     "Mary Lowell," Case of the, [199] 1867  
     "Tornado," Case of the, [199] 1147 ; [200]  
     2120 ; [203] 1118  
     Treaties of Commerce, [199] 434 ; [201]  
     1940  
 Supply—Consular Services, [203] 1241, 1243,  
     1244  
     Embassies and Missions Abroad, [203] 1226,  
     1227  
     Embassy Houses, Constantinople, &c. Re-  
     port, [203] 973  
     Foreign Office, [202] 396, 397  
     Law Charges, [203] 991  
 Treaties of 1815—Reprint, [203] 1527, 1669  
     [*cont.*]

OTWAY, Mr. A. J.—*cont.*

Turkey—Fire at Constantinople, [201] 1947 ;  
     [202] 493  
     Sporades Islands, [200] 1169  
 United States—"Alabama" Claims, The, [199]  
     240  
     Further Treaty of Extradition, [203] 1733  
     Speer, Captain, Shooting of, [201] 4  
     Water Boundary, The, [199] 1738  
 Venezuela—Prussian and American Claims,  
     [203] 636, 637

## Outlawries Bill

c. Read 1<sup>o</sup> \* Feb 8

## Owens College Extension Bill

l. Moved, "That the second reading be postponed  
 till Monday" (*The Earl of Harrowby*)  
 Mar 3, [199] 1116 ; after short debate, second  
 reading put off to Monday  
 Moved, "That the Bill be now read 2<sup>a</sup>" Mar 8,  
 [199] 1466 ; after short debate, on Question ?  
 Cont. 83, Not-Cont. 6 ; M. 27 ; Bill read 2<sup>a</sup>  
 Report \* Mar 31  
 After short debate, Bill read 3<sup>a</sup> and passed  
 April 4, [200] 1147

## Oxford, Bishop of

Elementary Education, Report, *cl.* 71, [203]  
 1267  
 University Tests, 2R. [203] 212

## Oxford—"Privileged Students"

Question, Mr. Reed ; Answer, Mr. Gladstone  
 Mar 11, [199] 1734

## Oyster and Mussel Fisheries Supplemen- tal Bill

(*Mr. Shaw Lefevre, Mr. John Bright*)

c. Ordered ; read 1<sup>o</sup> \* Feb 17 [Bill 34]  
 Read 2<sup>o</sup> \* Feb 21  
 Referred to Select Committee Feb 22 ; Com-  
 mittee nominated by Committee of Selec-  
 tion :—Mr. Pease (Chairman), Sir Percy  
 Burrell, Mr. Finnie, and Mr. W. Johnston  
 Re-comm. \* ; Report Mar 31  
 Read 3<sup>o</sup> \* April 4  
 l. Read 1<sup>a</sup> \* (*The Lord Privy Seal*) April 5  
 Committee \* ; Report May 5 (No. 62)  
 Read 3<sup>a</sup> \* May 6  
 Royal Assent May 12 [33 Vict. c. 6]

## Oyster and Mussel Fisheries Supplemen- tal (No. 2) Bill

(*Mr. Shaw Lefevre, Mr. Stansfeld*)

c. Ordered ; read 1<sup>o</sup> \* April 11 [Bill 100]  
 Read 2<sup>o</sup> \* April 26  
 Committee \* ; Report May 3  
 Read 3<sup>o</sup> \* May 4  
 l. Read 1<sup>a</sup> \* (*The Lord Privy Seal*) May 5  
 Read 2<sup>a</sup> \* May 13 (No. 82)  
 Committee \* ; Report May 16  
 Read 3<sup>a</sup> \* May 17  
 Royal Assent June 20 [33 Vict. c. 2]

PAKINGTON, Right Hon. Sir J. S.,

*Droitwich*

- Army—Cavalry Commissions, [200] 74  
 Army—Boxer, Colonel, Motion for Papers, [199] 405; Motion for a Committee, [200] 2074, 2077; [201] 277  
 Army—Evesham Rifle Corps, Res. [203] 792  
 Army Enlistment, Comm. [203] 443; *cl.* 3, 456; *cl.* 4, 457  
 Army Estimates—Chelsea and Kilmainham Hospitals, [203] 432  
 Land Forces, [199] 1173, 1190, 1197, 1198  
 Militia, &c. [201] 1834  
 Salaries, War Office, [203] 1465  
 Vote of Credit, [203] 1441, 1447  
 Warlike Stores, [203] 420  
 Works, Buildings, &c. [203] 429  
 Census, 2R. [203] 809  
 Census of 1871, [202] 1711  
 "City of Boston," The, [200] 68, 70  
 Commutation of Sentences—Case of Jacob Spinasa, [200] 2108  
 Contagious Diseases Acts Repeal, Leave, [201] 1839  
 199] Elementary Education, Leave, 488, 486, 488, 493; 2R. 2066  
 202] Comm. 297, 565; *cl.* 5, 1012; *cl.* 7, 1031; *cl.* 10, 1234; *cl.* 14, Amendt. 1265; *cl.* 27, 1412; *cl.* 33, 1485; *cl.* 46, 1657, 1665  
 203] *cl.* 65, 62; *cl.* 81, 73; Schedule II, 281; Consid. *cl.* 92, 502, 653; 3R. 753  
 Endowed Schools, [199] 691  
 Losses at Sea, Motion for a Commission, [201] 1094, 1101, 1123  
 Merchant Shipping Code, 2R. [201] 1989; Amendt. 2007, 2008; Comm. [202] 1426  
 Navy—Cooper Key, Rear Admiral, Case of, [201] 1896  
 Retirement of Sir S. Robinson and Mr. Reed, [202] 1005  
 Navy—African Squadron, Res. [200] 849  
 Navy—Chatham, &c. Dockyards, Motion for a Committee, [201] 1728  
 Navy—Gurdon, Commander, Case of, Res. [201] 1458  
 Navy—Naval Retirement, Res. [200] 147, 148, 155  
 "Normandy," Loss of the, [200] 324  
 Parliament—Business of the House, [199] 1631  
 Public Business, [200] 1717  
 Ships "Bombay" and "Oneida," Res. [202] 1544  
 South Kensington, New Buildings at, [201] 463  
 Steam Vessels, Loss of, [200] 990  
 Venezuela—Prussian Claims, [203] 637  
 War, The, [203] 1833  
 War Office, Leave, [199] 398; 2R. 779, 781, 782; 3R. [200] 1759, 1768

PALK, Sir L., *Devonshire, S.*

- Clerical Disabilities, 2R. [201] 1373  
 Commons Inclosure, 2R. Motion for Adjournment, [201] 1917  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 2032  
 Elementary Education, Comm. *cl.* 6, [202] 1026; *cl.* 46, 1655; *add. cl.* [203] 263; Schedule II, 307  
 Game Laws, Res. [201] 1909  
 Horse Racing, Leave, [201] 1364

[*cont.*

PALK, Sir L.—*cont.*

- Irish Land, Comm. *cl.* 4, [201] 813  
 Metropolis—Hyde Park—The Serpentine, [203] 35  
 Parliament—Business of the House—Education, [200] 2094  
 PALMER, Sir R., *Richmond*  
 Attorneys and Solicitors Remuneration, *cl.* 10, Amendt. [200] 1423  
 Corrupt Practices, Motion for a Committee, [200] 1700  
 Edmunds, Mr. L., Motion for a Paper, [203] 529, 534  
 Elementary Education, 2R. [199] 2031; Comm. *cl.* 5, [202] 1012; *cl.* 7, 1047; *cl.* 8, 1116; *cl.* 14, 1270, 1271; *cl.* 22, 1324  
 Foreign Enlistment, 2R. [203] 1378  
 Greece—Murder of British Subjects, [201] 1123  
 Ireland—Tipperary Election—Jeremiah O'Donovan Rossa, [199] 144  
 200] Irish Land, Comm. *cl.* 1, 744, 779, 1001; *cl.* 2, 1042; *cl.* 3, 1059, 1089, 1210, 1449, 1469, 1471, 1488, 1508, 1511, 1536, 1991, 1994, 2000  
 201] *cl.* 3, 25; *cl.* 4, 292; *cl.* 5, 368, 383, 384; *cl.* 14, 427; *cl.* 17, 530; *cl.* 19, 590; *cl.* 24, 602; *add. cl.* 780; Consid. *add. cl.* 1438, 1439  
 203] Lords' Amendts. 132, 662  
 Marriage with a Deceased Wife's Sister, Comm. [200] 1945  
 Naturalization, Comm. *cl.* 2, [200] 1736; *cl.* 4, 1738; *cl.* 7, 1739; *cl.* 10, 1741; Consid. 2021, 2025  
 Peace Preservation (Ireland), Comm. *cl.* 13, [200] 585, 586, 587; *cl.* 27, 615, 623, 680  
 Supply—County Courts, [203] 993  
 Land Registry Office, [203] 997  
 Law Charges, [203] 991  
 University Tests, Comm. *cl.* 3, [201] 1960; *cl.* 4, 1975; Consid. [202] 1384, 1386, 1397

PALMER, Mr. J. Hinde, *Lincoln City*

- Benefices, Leave, [199] 697; 2R. [201] 544  
 Ecclesiastical Titles Act Repeal, Comm. *cl.* 1, [203] 1594; *cl.* 2, 1596  
 Elementary Education, Comm. *cl.* 14, [202] 1264; *add. cl.* [203] 258; Consid. *cl.* 22, 495  
 Irish Land, 2R. [199] 1663; Comm. *cl.* 12, [201] 418; Consid. *add. cl.* 1437  
 Railway Companies, Motion for a Committee, Amendt. [200] 1910  
 Sites for Places of Worship, 2R. [200] 1400  
 Supply—Patent Office, [203] 377

Parish Churches Bill (*Mr. West, Sir Percy Herbert, Mr. Thomas Hughes*)

*c.* Ordered; read 1<sup>o</sup> \* August 8 [Bill 263]

PARKER, Colonel Windsor, *Suffolk, W.*

- Supply—Offices of the House of Commons, [202] 390

PARKER, Mr. C. S., *Perthshire*

- Army—Military Education Commission, Res. [200] 1575  
 Elementary Education, Comm. *cl.* 66, [203] 64  
 Game Laws, Res. [201] 1905, 1909

[*cont.*



**PARKER, Mr. C. S.—cont.**

Game Laws (Scotland), 2R. [199] 1112  
 Gun Licences, 3R. [203] 768  
 Public Schools Act Amendment, Comm. [203] 1047  
 Scotland—Roads and Bridges, [200] 1703  
 University Tests, Comm. *cl.* 4, [201] 1974;  
 3R. [202] 1462

**Parishioners Rights Bill**

(*Viscount Sandon, Mr. Cowper-Temple*)

- c.* Moved, "That this House will immediately resolve itself into a Committee to consider of providing for the constitution of Parochial Councils in all parishes in England and Wales, and to define and enlarge the powers of Parishioners with respect to the conduct of Divine Worship in their Parish Churches" (*Viscount Sandon*) *June* 28, [202] 1121; after long debate, Motion agreed to; Bill ordered Read 1<sup>o</sup> *June* 29 [Bill 187]  
 Bill withdrawn \* *August* 2

**Parliament**

**LORDS—**

The SESSION OF PARLIAMENT opened by Commission *Feb* 8, [199] 1

**Her Majesty's Most Gracious Speech**  
 delivered by The LORD CHANCELLOR *Feb* 8, [199] 2

An ADDRESS to HER MAJESTY thereon moved by The Marquess of HUNTLY (the Motion being seconded by The Earl of FINGALL), and, after long debate, agreed to, *Nemine Dissentiente Feb* 8, 7

HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 14, 193

*Chairman of Committees*—The Lord Redesdale appointed *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 8

*Committee for Privileges*—appointed *Feb* 8

*Sub-Committee for the Journals*—appointed *Feb* 8

*Appeal Committee*—appointed *Feb* 8

*Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod*—Select Committee appointed and nominated *Feb* 14, as follows :—Ld. Chancellor, Ld. President, Ld. Privy Seal, D. Richmond, M. Lansdowne, M. Salisbury, M. Bath, E. Devon, E. Tankerville, E. Carnarvon, E. Malmesbury, E. Granville, Ld. Chamberlain, V. Hawarden, V. Eversley, Ld. Steward, L. Willoughby de Eresby, L. Colville of Culross, L. Redesdale, L. Colchester, and L. Cairns

Reports of Select Committee *P.P.* 99, 156, 177

**Business of the House**

*Arrangements for Public Business*, Question, Earl Beauchamp; Answer, Earl Granville debate thereon *Feb* 17, [199] 413

*Conduct of Business—Parochial Schools (Scotland) Bill*, Observations, Lord Redesdale; Reply, The Duke of Argyll; short debate thereon *Mar* 21, [200] 304

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**PARLIAMENT—LORDS—cont.**

*Order of Debate in this House*, Moved, That the words following be added to the Roll of Standing Orders :—

"That if two or more Peers rise to speak at the same time the Lord Chancellor, and when the House is in Committee the Chairman of Committees, shall call on one of them to proceed, unless the House do otherwise order" (*The Lord Stratheden*) *June* 13, [201] 1933; after short debate, Motion withdrawn

Ordered, That for the remainder of the Session the Bills which are entered for consideration on the Minutes of the day shall have the same precedence which Bills have on Tuesdays and Thursdays" (*Earl Granville*) *August* 8, [203] 1671

*Easter Recess*, House adjourned on Friday, April 8, to Thursday, April 28

*The Whitsuntide Recess—The Irish Land Bill*, Observations, Earl Granville *May* 27, [201] 1468

House adjourned on Tuesday, May 30, to Monday, June 13

**Private Bills**

Standing Order Committee appointed *Feb* 17, as follows :—Ld. President, Ld. Privy Seal, D. Somerset, M. Winchester, M. Lansdowne, M. Bath, M. Ailesbury, M. Normanby, E. Devon, E. Airlie, E. Hardwicke, E. Carnarvon, E. Romney, E. Chichester, E. Powis, E. Verulam, E. Saint Germaines, E. Morley, E. Stradbroke, E. Amherst, Ld. Chamberlain, V. Hawarden, V. Eversley, Ld. Steward, L. Camoys, L. Saye and Sele, L. Colville of Culross, L. Sondes, L. Digby, L. Sheffield, L. Colchester, L. Silchester, L. De Tabley, L. Portman, L. Belper, L. Ebury, L. Churston, L. Egerton, L. Hylton, and L. Penrhyn

All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Order Committee, unless otherwise ordered

*Orders respecting Petitions Feb* 22, [199] 670

*Opposed Private Bills*, Committee of Selection appointed *Feb* 17, as follows :—M. Lansdowne, M. Bath, Ld. Steward, L. Colville of Culross

Observations, Lord Lyveden; Reply, Lord Redesdale *Feb* 17, [199] 411

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 16th day of June next : [and other Orders] *May* 5, [201] 251  
 Standing Order No. 179. sect. 1. suspended. Time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House, be extended to Monday the 13th of June, *May* 31

**Palace of Westminster**

Motion for "Copy of Correspondence between the First Commissioner of Works and Mr. Edward Barry, during the present year, respecting his duties as architect to the New Palace of Westminster" (*The Earl of Devon*) *Mar* 25, [200] 637 Return . . *P.P.* 58

PARLIAMENT—LORDS—*cont.*

*St. Stephen's Crypt*, Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to give directions that the requisite arrangements be made for the performance of divine service in the lately restored chapel in Saint Stephen's Crypt during the Session of Parliament" (*The Lord Bishop of Gloucester and Bristol*) June 24, [202] 857; after short debate, Motion withdrawn

COMMONS—

MEETING OF THE PARLIAMENT Feb 8

THE QUEEN'S SPEECH reported; an humble Address thereon moved by Captain EGERTON (the Motion being seconded by Sir CHARLES W. DILKE) Feb 8, [199] 58; after long debate, Motion agreed to; and a Committee appointed to draw up the said Address  
Report of Address brought up, and agreed to; to be presented by Privy Counsellors Feb 9, 111

HER MAJESTY'S ANSWER TO THE ADDRESS reported Feb 14, [199] 322

*Kitchen and Refreshment Rooms (House of Commons)*—Standing Committee appointed and nominated Feb 9, as follows:—Colonel French (Chairman), Mr. Adam, Mr. Dalglish, Mr. Fitzwilliam Dick, Mr. Henry Edwards, Mr. Goldney, Mr. Alderman Lawrence, Mr. Onslow, and Captain Vivian

Report of Select Committee July 29—

P. P. 395

*Printing*—Select Committee appointed and nominated Feb 11, as follows:—Mr. Bonham-Carter (Chairman), Mr. Cardwell, Mr. Henley, Mr. Hunt, Sir Stafford Northcote, The O'Connor Don, Sir John Pakington, Mr. Hastings Russell, Mr. Sclater-Booth, Mr. Stansfeld, and Mr. Walpole

*Public Petitions*—Select Committee appointed and nominated Feb 11, as follows:—Mr. Charles Forster (Chairman), Mr. Bonham-Carter, Viscount Crichton, Mr. Dimsdale, Lord Garlies, Major Gavin, Mr. William Ormsby Gore, Mr. A. Guest, Mr. Henniker-Major, Mr. Kinnaird, Mr. M'Lagan, The O'Connor Don, Earl Percy, Mr. Hastings Russell, Sir David Salomons, Mr. Owen Stanley, and Mr. Reginald Talbot

*Railway and Canal Bills (1870)*—General Committee on:—Sir Francis Goldsmid (Chairman), Mr. Bathurst, Mr. Cross, Mr. Dent, Mr. Floyer, Mr. Hardcastle, Mr. O'Reilly, Sir Hedworth Williamson

*Selection*—Committee of Selection nominated Feb 15, as follows:—Colonel Wilson Patten (Chairman), Mr. Bonham-Carter, Sir Graham Montgomery, The O'Connor Don, Mr. Scourfield, and Mr. Whitbread

*Alleged Bribes to Members of Parliament*, Observations, Mr. Knight Mar 18, [200] 212

*Blue Books and Parliamentary Papers—Free Libraries*, Question, Mr. Auberon Herbert; Answer, Mr. Stansfeld April 1, [200] 1049

*Parliamentary Papers in Foreign Languages*, Question, Mr. Peck; Answer, Mr. Otway May 10, [201] 741

PARLIAMENT—COMMONS—*cont.*

*Business of the House*

*Education Bill*, Observations, Sir Lawrence Palk; Reply, Mr. Gladstone April 29, [200] 2094

*Mr. Speaker's Absence*, Observations, Mr. Speaker June 20, [202] 494

Ordered, That during Mr. Speaker's temporary absence at Oxford, on Wednesday next, Mr. Dodson, the Chairman of the Committee of Ways and Means, do take the Chair as Deputy Speaker, pursuant to the Standing Order (*Mr. Gladstone*)

*Morning Sittings, &c.* Question, Mr. Bentinck; Answer, Mr. Gladstone Feb 11, [199] 172; Observations, Mr. Bentinck; Reply, Mr. Gladstone Mar 28, [200] 727; Question, Mr. Disraeli; Answer, Mr. Gladstone June 16, [202] 300

Moved, "That, in the opinion of this House, the interests both of Government legislation and of private Members would be promoted by the abolition of Morning Sittings, and by giving Government business precedence of Notices of Motions on Tuesdays after the 15th of June in each year" (*Mr. Andrew Johnston*) July 7, [203] 1554; after short debate, Motion withdrawn

Question, Mr. Bentinck; Answer, Mr. Gladstone; short debate thereon July 18, [203] 415

*Sittings of the House*, Moved, "That it is undesirable, for the efficient discharge of Public Business, that Opposed Business should be brought on after Twelve o'clock at night" (*Mr. Gilpin*) June 21, [202] 704; Amendt. to leave out "Twelve" and insert "One" (*Mr. Collins*); after short debate, Question put, "That the word 'Twelve' &c.;" A. 83, N. 104; M. 21; after debate, Question put, "That the word 'One' be there inserted;" A. 76, N. 94; M. 18; Original Question, as amended, proposed; Moved, "That this House do now adjourn" (*Viscount Gathway*); Motion and Original Question withdrawn

*Public Business*, Question, Mr. Whitbread; Answer, Mr. Gladstone; short debate thereon Mar 31, [200] 992; Question, Mr. Hibbert; Answer, Mr. Gladstone June 16, [202] 263; Observations, Mr. Gladstone; short debate thereon July 4, 1865

*Public Business, Progress of*—Adjournment for Easter April 12, [200] 1703; Observations, Mr. Bruce; Reply, Mr. Eykyn July 19, [203] 508

*Conduct of Business*, Question, Sir Henry Hoare; Answer, Mr. Gladstone; short debate thereon July 14, [203] 241

*Business of the Paper—Withdrawal of Bills*, Question, Mr. Assheton Cross; Answer, Mr. Gladstone July 18, [203] 412

*Bills affecting the Clergy*, Questions, Mr. Henley, Mr. Assheton Cross, Sir George Grey; Answers, Mr. Gladstone July 21, [203] 651

*Business of the House*, Observations, Mr. Disraeli; Reply, Mr. Gladstone July 25, [203] 878

Resolved, That To-morrow, and every succeeding Tuesday during the present Session,



PARLIAMENT—COMMONS—*cont.*

Orders of the Day have precedence of Notices of Motions, Government Orders of the Day having the priority" (*Mr. Gladstone*)  
*Bills in Progress*, Questions, Mr. Newdegate, Mr. Locke King; Answers, Mr. Gladstone August 1, [203] 1284

*Private Business*, Ordered, That Standing Orders 208 and 238 be suspended for the remainder of the Session; [and other orders] August 6, 1870

*Turnpike Acts Continuance Bill*, Observations, Mr. Whalley; Reply, Mr. Assheton Cross July 22, [203] 801

*Easter Recess*, House at its rising adjourned to Monday the 25th April April 12

*Whitsuntide Recess*, House at its rising adjourned to Thursday June 9 May 31

*Committees of Supply and Ways and Means—New Standing Order*—After short debate, ordered, That the following be a new Standing Order of this House:—"That this House will, in future, appoint the Committees of Supply and Ways and Means, at the commencement of every Session, so soon as an Address has been agreed to, in answer to Her Majesty's Speech" (*Mr. Gladstone*) July 28, [203] 1148

*Presentation of Petitions—Standing Orders—Ireland—Waterford Election Petition*, Questions, Mr. Matthews, Colonel French; Answers, Mr. C. Forster, Mr. Speaker July 1, [202] 1306

[See title *Corrupt Practices at Elections*  
*Sligo Writ*  
*Dublin Election*  
*Revenue Officers, Electoral Disabilities of*]

*Privilege and Order*

*Committee for Privileges*—appointed Feb 8  
*Standing Orders*—Select Committee nominated Feb 15, as follows:—Colonel Wilson Patten (Chairman), Mr. Bonham-Carter, Sir Edward Colebrooke, Mr. Henley, Sir Frederick Heygate, Mr. Charles Howard, Sir Graham Montgomery, The O'Connor Don, Mr. Hastings Russell, Mr. Scourfield, and Mr. Whitbread

*Order—Irregularity of Motion—Rules and Orders No. 130*, Question, Mr. W. M. Torrens; Answer, Mr. Speaker May 17, [201] 824

*Privilege—Letters to the Public Journals—Commander Gurdon*, Question, Mr. R. Shaw; Answer, Mr. Childers April 7, [200] 1426  
[See title *Navy—Case of Commander Gurdon*]

*Strangers ordered to withdraw*, Contagious Diseases Acts Repeal Bill—Motion for Leave—Mr. Craufurd calls attention to the presence of Strangers in the Galleries:—Strangers ordered to withdraw

*Exclusion of Strangers from the House*, Observations, Mr. Gladstone; Reply, Mr. Henley May 26, [201] 1411; Observations, Mr. Henley; Reply, Mr. Gladstone; debate thereon May 30, 1870

Mr. Henley said, he saw Strangers present:—Whereupon Mr. Speaker ordered Strangers to withdraw

[*cont*

PARLIAMENT—COMMONS—*cont.*

*Scotch and Irish Representative Peers*, Question, Mr. Stapleton; Answer, Mr. Gladstone July 11, [203] 40

*Palace of Westminster*

*Approaches*, Moved, "That an humble Address be presented to Her Majesty, praying that, taking into consideration the late hours and heavy labours in connection with the duties of the Legislature, and the inconvenience and loss of time arising from the crowded state of the thoroughfares, Her Majesty will be graciously pleased to direct that during the Session of Parliament Members of the Legislature may have free access to the House of Parliament by way of Constitution Hill to Birdcage Walk and through the Horse Guards" (*Mr. Haviland-Burke*) August 9, [203] 1738; after short debate, Motion withdrawn

*Architect, Appointment of*, Question, Mr. W. H. Gregory; Answer, Mr. Ayrton Mar 17, [200] 70

*Barry, Mr. Edward, Dismissal of*, Amendt. on Committee of Supply May 13, To leave out from "That" and add "in the opinion of this House, the abrupt discontinuance of the employment of the architect who has hitherto been engaged at the Houses of Parliament whenever professional skill and responsibility were required, at a moment when works entrusted to his direction were still in progress, is uncalled for, and of doubtful expediency" (*Mr. Couper-Temple*), [201] 670; Question proposed, "That the words, &c.;" after long debate, Question put; A. 152, N. 109; M. 43

Correspondence—*Parl. P.* 154

*Barry, Mr., Drawings and Plans of*, Question, Mr. Tipping; Answer, Mr. Ayrton Mar 31, [200] 988

*Central Hall, The*, Questions, Mr. A. E. Guest, Colonel Sykes; Answers, Mr. Ayrton Mar 21, [200] 322; Question, Mr. A. E. Guest; Answer, Mr. Ayrton Mar 22, 422; Question, Colonel Sykes; Answer, Mr. Ayrton Mar 25, 640; Question, Mr. A. Seymour; Answer, Mr. Ayrton April 29, 2059; Question, Mr. A. Seymour; Answer, Mr. Gladstone May 9, [201] 394—*Seats in*, Question, Mr. Staupoole; Answer, Mr. Ayrton June 16, [202] 261—*Committee of Artists*, Question, Mr. Beresford Hope; Answer, Mr. Ayrton July 26, [203] 988

*Ladies' Gallery, The*, Question, Mr. H. A. Herbert; Answer, Mr. Ayrton April 8, [200] 1506

*New Refreshment Rooms*—Select Committee appointed, "to consider Plans for New Refreshment and Dining Rooms for both Houses of Parliament" (*Mr. Ayrton*) Mar 10, [199] 1732; And, on Mar 11, Committee nominated as follows:—Mr. Ayrton (Chairman), Mr. Bouverie, Mr. Henry Edwards, Colonel French, Mr. Goldney, Mr. Headlam, Lord John Manners, Colonel Wilson Patten, and Mr. William Henry Smith; Question, Mr. Bentinck; Answer, Mr. Ayrton July 4, [202] 1362; Question, Mr. Bentinck; Answers, Mr. Ayrton, Mr. Gladstone July 14, [203] 252

[*cont.*

PARLIAMENT—COMMONS—cont.

| Parl. Papers—                                                                           |                    |
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| Report                                                                                  | 257                |
| Mr. Barry's Plan                                                                        | 351                |
| Correspondence                                                                          | 374                |
| <i>Plans of the Flues, &amp;c.</i> , Question, Captain Dawson-Damer; Answer, Mr. Ayrton | May 30, [201] 1593 |
| <i>St. Stephen's, Crypt of</i> , Question, Lord Ernest Bruce; Answer, Mr. Gladstone     | Feb 14, [199] 236  |

The Parliament Prorogued, by Commission, to Thursday the 27th day of October next; Her Majesty's Speech delivered by the Lord Chancellor August 10, [203] 1792

*Parliamentary and Municipal Elections*

Select Committee appointed, "to inquire into the present modes of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom" (*The Marquess of Hartington*) Feb 11, [199] 188

And, on Feb 15, Committee nominated as follows:—Marquess of Hartington (Chairman), Sir Michael Hicks-Beach, Mr. Bourke, Mr. Brand, Mr. Bright, Mr. Cross, Mr. Dalglish, Mr. Fawcett, Mr. Graves, Sir George Grey, Mr. Gathorne Hardy, Sir Frederick W. Ileygate, Mr. Staveley Hill, Mr. Howes, Mr. Hunt, Mr. James, Mr. Leatham, Mr. Locke, The O'Connor Don, Mr. Raikes, Mr. William H. Smith, Mr. Villiers, and Mr. Whitbread  
Report of Select Committee Mar 15—P.P. 115

**Parliamentary Elections Bill**

(*The Marquess of Hartington, Mr. Secretary Bruce, Mr. John Bright*)

- c. Motion for Leave (*The Marquess of Hartington*) May 9, [201] 431; after short debate, Moved, "That the Debate be now adjourned" (*Lord Claud Hamilton*); after further debate, Motion withdrawn; Question put, and agreed to; Bill ordered; read 1<sup>o</sup>\* [Bill 120]  
Bill withdrawn\* July 18

*Parliamentary Representation*

*Bridgwater and Beverley—Appropriation of the Seats*, Question, Mr. Hibbert; Answer, Mr. Gladstone May 5, [201] 280; Question, Mr. Locke King; Answer, Mr. Gladstone July 7, [202] 1613

*Expenses of Returning Officers*, Amendt. on Committee of Supply Feb 11, To leave out from "That" and add "in the opinion of this House, all charges and expenses of Returning Officers should be so regulated by Law that the same shall not be at the discretion of the Returning Officer" (*Mr. Serjeant Simon*), [199] 178; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

*Faggot Votes (Scotland)*, Question, Mr. Craufurd; Answer, The Lord Advocate Feb 25, [199] 797

*Fees on Election Prosecutions*, Question, Colonel Stuart Knox; Answer, The Attorney General Mar 3, [199] 1142

*Parliamentary and Municipal Franchise (Ireland)*, Question, Mr. W. Johnston; Answer, Mr. Chichester Fortescue Feb 15, [199] 331

[cont.]

*Parliamentary Representation—cont.*

*Parliamentary Election Expenses Bill*, Question, Mr. Wentworth Beaumont; Answer, Mr. Fawcett Feb 17, [199] 433

*Polling Places, Extra, (Ireland)*, Question, Mr. Stapcoole; Answer, Mr. Chichester Fortescue Mar 10, [199] 1630

*Prosecutions for Bribery—Bridgwater, Beverley, Norwich*, Question, Mr. Pemberton; Answer, The Solicitor General Feb 24, [199] 767

[See title *Corrupt Practices at Elections*]

*Registration of Voters*, Question, Mr. Vernon Harcourt; Answer, Mr. Bruce Feb 14, [199] 240

*The Metropolis, Additional Representation of*, Question, Captain Grosvenor; Answer, Mr. Gladstone July 4, [202] 1359

PARRY, Mr. T. L. D. JONES—, *Carnarvonshire*

Army—Retired Field Officers of Militia, [199] 1308

**Party Processions (Ireland) Bill**

(*Mr. William Johnston, Viscount Crichton, Captain Archdall*)

- c. Ordered; read 1<sup>o</sup>\* Feb 14 [Bill 26]  
Bill read 2<sup>o</sup>, after short debate Mar 30, [200] 938  
Order for Committee read; Moved, "That Mr. Deputy Speaker do now leave the Chair;"  
Debate adjourned June 21  
Debate resumed July 12, [203] 164  
Amendt. to leave out from "That" and add "this House will, upon this day three months, resolve itself into the said Committee" (*Mr. Chichester Fortescue*); after short debate, Question put, "That the words, &c.;" A. 46, N. 121; M. 75; words added; main Question, as amended, put, and agreed to; Bill put off for three months

**Passengers Act Amendment Bill [N.L.]**

(*The Earl Granville*)

- l. Presented; read 1<sup>a</sup>\* July 1 (No. 176)  
Read 2<sup>a</sup>\* July 15  
Committee\*; Report July 18  
Read 3<sup>a</sup>\* July 19  
c. Read 1<sup>o</sup>\* July 23 [Bill 251]  
Read 2<sup>o</sup>\* August 1  
Committee\*; Report August 2  
Read 3<sup>o</sup>\* August 4  
Royal Assent August 9 [33 & 34 Vict. c. 95]

*Patent Office—Case of Mr. Edmunds*

Question, Observations, Sir James Elphinstone; Reply, The Chancellor of the Exchequer; short debate thereon May 19, [201] 970; Question, Sir James Elphinstone; Answer, Mr. Gladstone June 16, [202] 264  
Warrant for Commitment of . . P. P. 380

PATTEN, Right Hon. Colonel J. W.,  
*Lancashire, N.*

Army—Henry-Martini Rifle, [203] 950  
Army Estimates—Militia, &c. [201] 1832  
Ballot, 2R. [200] 54  
County Government, Res. [201] 1867  
Customs and Inland Revenue, Comm. add. cl. [201] 1816

[cont.]



PATTEN, Right Hon. Colonel J. W.—*cont.*

Elementary Education, Comm. Schedule II, [203] 296

Irish Land, 2R. Motion for Adjournment, [199] 1569, 1634; Comm. cl. 1, [200] 1008, 1022; cl. 3, 1073; cl. 41, [201] 759, 767; *add.* cl. 1256; *Consid. add. cl.* 1419; Lords Amendments, [203] 134

Lord Privy Seal, Office of, Res. [203] 892

Party Processions (Ireland), 2R. [200] 950

Peace Preservation (Ireland), Leave, [200] 108; 2R. 346, 355, 357, 358, 359, 382, 500; Comm. cl. 37, 691

Rating (Ireland), Motion for a Committee, [201] 2009

Supply—Buildings of the Houses of Parliament, [203] 912

Home Department, [202] 394

## Paupers Conveyance (Expenses) Bill

(*Mr. Peel, Mr. Goschen*)

c. Ordered; read 1<sup>o</sup> \* July 4 [Bill 193]

Read 2<sup>o</sup> \* July 7

Committee\*; Report July 11

Read 3<sup>o</sup> \* July 12

l. Read 1<sup>a</sup> \* (*The Lord Privy Seal*) July 14

Read 2<sup>a</sup> \* July 22 (No. 208)

Committee\*; Report July 25

Read 3<sup>a</sup> \* July 26

Royal Assent August 9 [33 & 34 Vict. c. 48]

## Pawnbrokers

Select Committee appointed, "to inquire into the state of the Law affecting the Pawn-broking Trades, with a view to its consolidation and amendment" (*Mr. Plimsoll*) April 4, [200] 1276

And, on May 9, Select Committee nominated as follows:—*Mr. Ayrton* (Chairman), *Mr. Richard Arkwright*, *Colonel Beresford*, *Mr. Alderman Carter*, *Mr. Charley*, *Mr. Crum-Ewing*, *Mr. Orr Ewing*, *Mr. Montague Guest*, *Mr. Hambro*, *Mr. Thomas Hughes*, *Mr. Charles Henry Mills*, *Mr. Morley*, *Mr. Plimsoll*, *Mr. Ridley*, *Mr. Sidebottom*, *Mr. Serjeant Simon*, and *Mr. Whitwell*

Report of Select Committee July 21—*Parl. P.* 377

## Pawnbrokers Bill

(*Mr. Plimsoll, Mr. Sidebottom*)

c. Ordered; read 1<sup>o</sup> \* Mar 17 [Bill 79]

Bill withdrawn \* Mar 31

## Peace Preservation (Ireland) Act

Address for, Returns relating to the proclamation of certain townlands in the county of Donegal; and other Returns relating to the murder of William O'Brien, in the lands of Drumdoo, in the parish of Mohill, in the County of Leitrim (*The Earl of Leitrim*) April 8, [200] 1500; after short debate, Motion amended, and agreed to

## Peace Preservation (Ireland) Bill

(*Mr. Chichester Fortescue, Mr. Secretary Bruce, Mr. Solicitor General for Ireland*)

200] c. Motion for Leave (*Mr. Chichester Fortescue*) Mar 17, 81; after debate, Bill ordered; read 1<sup>o</sup> \* [Bill 75]

[*cont.*]

## Peace Preservation (Ireland) Bill—*cont.*

200] Moved, "That the Bill be now read 2<sup>a</sup> " Mar 21, 328

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Moore*); Question proposed, "That 'now,' &c.;" after long debate, Debate adjourned

Debate resumed Mar 22, 424; after long debate, Question put; A. 425, N. 13; M. 412

Division List, Ayes and Noes, 509

Main Question put, and agreed to; Bill read 2<sup>o</sup>

*Rev. Mr. Evers, P.P.*, Observations, *Mr. Chichester Fortescue* Mar 24, 575

Committee—*R.P.* Mar 24, 576

Committee Mar 25, 641; House adjourned till Nine o'clock

Committee; Report Mar 25, 682 [Bill 88]

Considered Mar 26, 700; after debate, Bill read 3<sup>o</sup>

l. Read 1<sup>a</sup> \* (*The Lord Dufferin*) Mar 28 (No. 53)

Bill read 2<sup>a</sup>, after debate Mar 29, 788

Committee, after short debate Mar 31, 970; Standing Orders Nos. 37 and 38 dispensed with; Bill read 3<sup>a</sup>

c. Lords Amendments. considered April 1, 1050

[Bill 92]

Amendts., as far as the Amendt. in Clause 33, page 18, line 18, agreed to

Clause 38, pages 18 and 19, read a second time, and disagreed to

Subsequent Amendments. read a second time, and agreed to

Committee appointed, "to draw up Reasons to be assigned to the Lords for disagreeing to the Amendments, to which this House hath disagreed"

Reason for disagreeing to one of the Lords' Amendments. reported, and agreed to

l. Returned from the Commons with several of the Amendments. made by the Lords agreed to, and one disagreed to, for which they assign a reason April 1

Commons' reason for disagreeing to one of the Amendments. made by the Lords considered; Moved not to insist on the Lords Amendt. to which the Commons have disagreed; on Question, agreed to, 1047

Royal Assent April 4 [33 Vict. c. 9]

## PEASE, Mr. J. W., *Durham, S.*

Burials, 2R. [200] 561

Conventual and Monastic Institutions, Motion for a Committee, Motion for Adjournment, [200] 1596, 2026

Elementary Education, Comm. cl. 7, Amendt. [202] 1031; cl. 10, 1233; cl. 14, 1244; cl. 32, 1482; cl. 33, 1485; cl. 65, Amendt. 1718; *add. cl.* [203] 209

Evidence Further Amendment Act Amendment, Comm. *add. cl.* [200] 1418, 1419

Game Laws Amendment, 2R. [200] 6

Irish Land, Comm. cl. 41, [201] 753

Maw, George, Case of, [202] 787

Mines, Rating of, [199] 427

Mines Regulation, &c. 2R. [199] 620

Navy Estimates—Men and Boys, [199] 990

Sites for Places of Worship, 2R. [200] 1409

Tramways, Leave, [199] 1085

Unemployed Labour, Res. [202] 443

Ways and Means—Financial Statement, [200]

1671; Report, Res. 7, 1722

# **Pedlars' Certificates Bill**

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)

- c. Ordered; read 1° \* July 6 [Bill 199]  
Read 2° \* July 18  
Committee—R. P. July 21, [203] 700  
Committee \*; Report July 22  
Considered \* July 26  
Read 3° \* July 27  
l. Read 1° \* (*The Marquess of Lansdowne*) July 28  
Read 2° \* August 2 (No. 251)  
Committee \* August 4  
Report \* August 5  
Read 3° \* August 6  
Royal Assent August 9 [33 & 34 Vict. c. 72]

# **PEEK, Mr. H. W., *Surrey, Mid.***

- Chelsea Bridge, Res. [199] 708, 718  
Customs and Inland Revenue, Comm. [201] 1795  
False Weights and Measures, Res. [201] 1522  
Metropolis—Zoological Gardens, [202] 493  
Parliamentary Papers in Foreign Languages, [201] 741  
West Indies—Nevis, Colonial Secretary, [200] 1603

# **PEEL, Mr. A. W. (Secretary to the Poor Law Commissioners), *Warwick Bo.***

- Education of the Blind, &c. 2R. [201] 250  
Emigration, Res. [199] 1044  
Medical Officers Superannuation, 2R. [202] 727  
Metropolis—Destitution in the, [199] 1484

# **PELL, Mr. A., *Leicestershire, S.***

- Clerical Disabilities, Comm. Motion for Adjournment, [202] 449  
Educational Purposes, Taxes for, [200] 318  
Elementary Education, Comm. cl. 7, [202] 1100; cl. 19, 1319; cl. 45, 1647, 1648; cl. 46, 1658; Amendt. 1659, 1661, 1667; cl. 65, Amendt. [203] 61; cl. 66, Amendt. 64, 66  
France—Commercial Treaty, Motion for a Committee, [201] 160  
Gun Licences, Comm. cl. 7, Amendt. [202] 855; Consid. [203] 698; 3R. 765  
199] Irish Land, 2R. 1658  
200] Comm. cl. 1, 782, 1013, 1025; cl. 2, 1043; cl. 3, 1465, 1523, 1525; Amendt. 1527; Amendt. 1990, 1991, 1992; Amendt. 2018  
201] cl. 4, 315; add. cl. 1262; Consid. add. cl. 1436  
Local Taxation, Motion for a Committee, [199] 664  
Telegraphic Communication between Germany and America, [199] 693

# **PEMBERTON, Mr. E. L., *Kent, E.***

- Army—Cornets and Ensigns, [200] 207  
Bribery, Prosecutions for, [199] 767  
Bridgwater Election, [199] 803; Motion for Adjournment, 805  
Christmas Day, [203] 484  
Corrupt Practices, Motion for a Committee, [200] 1700  
Navy—Sheerness Dockyard, [200] 830  
Pilotage, Comm. [202] 598

# **Pensions Commutation Amendment Bill**

(*Mr. Stansfeld, Mr. Chancellor of the Exchequer*)

- c. Ordered; read 1° \* July 27 [Bill 244]  
Read 2° \* July 28  
Committee \*; Report July 29  
Read 3° \* August 1  
l. Read 1° \* (*The Marquess of Lansdowne*) August 2 (No. 274)  
Read 2° \*; Committee negatived August 8  
Read 3° \* August 9  
Royal Assent August 10 [33 & 34 Vict. c. 101]

# **PENZANCE, Lord**

- Absconding Debtors, 2R. [203] 930  
Appellate Jurisdiction, Comm. [201] 1930  
Attorneys and Solicitors Remuneration, Comm. cl. 4, [201] 1920  
Criminal Sentences, "Address for a Return," [200] 1148, 1155, 1160  
High Court of Justice, 2R. [200] 181, 188, 192; Comm. 2050; [201] 1576, 1581  
Irish Land, Comm. add. cl. [202] 992; cl. 12, 1056; add. cl. 1058  
Married Women's Property, 2R. [202] 603, 620; Comm. [203] 396; add. cl. 400  
Naturalization, Comm. cl. 5, [199] 1611; cl. 6, Amendt. 1615; cl. 8, 1617, 1618  
Sheriff's (Scotland) Act Amendment, Comm. cl. 13, [203] 1013

# **PERCY, Earl, *Northumberland, N.***

- Marriage with a Deceased Wife's Sister, Comm. [200] 1941

# **Permissive Prohibitory Liquor Bill**

*Formerly*

# **Sale of Liquors Bill**

- (*Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hanmer, Mr. Miller, Mr. Dalway, Mr. Macarthy Downing*)  
c. Acts considered in Committee; Bill ordered; read 1° \* April 28 [Bill 112]  
Moved, "That the Bill be now read 2°" July 13, [203] 169  
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Wheelhouse*); after debate, Question put, "That 'now,' &c.," A. 90, N. 121; M. 31; words added; main Question, as amended, put, and agreed to; Bill put off for three months

# **Persia—The Legation**

- Question, Sir Charles Wingfield; Answer, Mr. Otway Mar 1, [199] 1000  
Persian Mission Transfer—Correspondence . . . . *Parl. P.* [105]

# **PETERBOROUGH, Bishop of**

- Marriage with a Deceased Wife's Sister, 2R. [201] 936

# **Petroleum Bill [H.L.] (*The Earl of Morley*)**

- l. Presented; read 1° \* July 29 (No. 265)  
Read 2° \* August 1  
Committee \*; Report August 2  
Bill withdrawn \* August 6



### Petty Customs (Scotland) Abolition Bill (*Mr. Bouverie, Mr. Kinnaird*)

- c. Ordered \* *Mar 11*  
 Read 1° \* *Mar 15* [Bill 72]  
 Read 2° \* *April 4*  
 Committee \*; Report *April 6* [Bill 95]  
 Re-comm. \*; Report *May 11*  
 Considered \*; Read 3° *May 18*  
 l. Read 1° \* (*The Earl of Airlie*) *May 19*  
 Read 2° \* *July 5* (No. 106)  
 Committee \*; Report *July 14* (No. 205)  
 Read 3° \* *July 19*  
 Royal Assent *August 1* [33 & 34 Vict. c. 42]

### Petty Sessions Clerks (Ireland) Act (1858) Amendment Bill

(*Mr. Chichester Fortescue, Mr. Solicitor General for Ireland*)

- c. Ordered; read 1° \* *July 25* [Bill 236]  
 Read 2° \* *July 28*  
 Committee \*; Report *July 29*  
 Read 3° \* *August 1*  
 l. Read 1° \* (*The Lord Dufferin*) *August 2*  
 Read 2° \* *August 4* (No. 273)  
 Committee \*; Report *August 5*  
 Read 3° \* *August 6*  
 Royal Assent *August 9* [33 & 34 Vict. c. 64]

PHILIPS, Mr. R. N., *Bury*  
 Navy Estimates, [201] 1715

### Pier and Harbour Orders Confirmation Bill (*Mr. Shaw Lefevre, Mr. Stansfeld*)

- c. Considered in Committee; Resolution reported; Bill ordered; read 1° \* *May 5*  
 Read 2° \* *May 9* [Bill 117]  
 Committee \*; Report *May 16*  
 Considered \* *May 20*  
 Read 3° \* *May 23*  
 l. Read 1° \* (*The Lord Privy Seal*) *May 24*  
 Read 2° \* *June 17* (No. 110)  
 Committee, after short debate *June 21*, [202] 622  
 Report \* *June 23*  
 Read 3° \* *June 24*  
 Royal Assent *July 4* [33 & 34 Vict. c. lxxxii]

### Pier and Harbour Orders Confirmation (No. 2) Bill

(*Mr. Shaw Lefevre, Mr. Stansfeld*)

- c. Resolution in Committee; Resolution agreed to; Bill ordered; read 1° \* *May 30* [Bill 154]  
 Read 2° \* *June 9* and committed, so far as it relates to Falmouth, to a Select Committee; Committee nominated by the Committee of Selection—Mr. Knight (Chairman), Mr. Allen (Newcastle-under-Lyme), Sir Edmund Lacon, Mr. A. Seymour  
 Re-comm. \*; Report *June 23* [Bill 178]  
 Committee \*; Report *July 4*  
 Considered \* *July 5*  
 Read 3° \* *July 6*  
 l. Read 1° \* (*The Earl of Kimberley*) *July 7*  
 Read 2° \* *July 15* (No. 188)  
 Committee \* *July 21*  
 Report \* *July 22*  
 Read 3° \* *July 25*  
 Royal Assent *August 9* [33 & 34 Vict. c. clviii.]

### Pier and Harbour Orders Confirmation (No. 3) Bill

(*Mr. Shaw Lefevre, Mr. Stansfeld*)

- c. Resolution in Committee; Resolution agreed to, and reported; Bill ordered; read 1° \* *July 11* [Bill 210]  
 Read 2° \* *July 13*  
 Committee \*; Report *July 18*  
 Read 3° \* *July 19*  
 l. Read 1° \* (*The Lord Privy Seal*) *July 21*  
 Read 2° \* *July 29* (No. 228)  
 Committee \* *August 1*  
 Report \* *August 2*  
 Read 3° \* *August 4*  
 Royal Assent *August 9* [33 & 34 Vict. c. clix]

### Pilotage Bill

(*Mr. Bright, Mr. Shaw Lefevre, Mr. Stansfeld*)

- c. Acts considered in Committee; Bill ordered; read 1° \* *Feb 14* [Bill 25]  
 Bill read 2°, after short debate *Feb 24*, [199] 772  
 Moved, "That the Bill be referred to a Select Committee; after further short debate, Bill committed to a Select Committee  
 And, on March 9, Committee nominated as follows:—Mr. Shaw Lefevre (Chairman), Colonel Bourne, Mr. Thomas Brassey, Mr. Cave (Shoreham), Mr. Childers, Mr. Gourley, Mr. Graves, Mr. Grieve, Mr. John Stewart Hardy, Sir John Hay, Mr. Malcolm, Mr. Philip Wykeham Martin, Mr. Norwood, Mr. Pemberton, Mr. William Philip Price, Sir Henry Selwin-Ibbetson, Mr. Stevenson, Mr. Charles Turner, and Sir Charles Wingfield  
 Moved, "That Mr. Childers be discharged from further attendance on the Select Committee on the Pilotage Bill" (*Mr. Shaw Lefevre*) *June 20*, [202] 596; after short debate, Moved, "That the Debate be now adjourned" (*Sir Henry Selwin-Ibbetson*); A. 83, N. 91; M. 8  
 Original Question again proposed; Moved, "That this House do now adjourn" (*Sir James Elphinstone*); after further short debate, Motion and original Question withdrawn  
 Report of Select Committee *July 8* (No. 343)  
 Bill as amended [Bill 207]  
 Bill withdrawn \* *July 25*

### PIM, Mr. J., *Dublin City*

- Ireland—Dublin Carriage Act, [200] 1502  
 Stamp Duty on Leases, [200] 202  
 Ireland—Telegraphic Communication, Res. [203] 158  
 199] Irish Land, 2R. 1413  
 200] Comm. cl. 1, Amendt. 736, 762, 1020, 1029; cl. 3, 1469  
 201] Amendt. 30; Amendt. 43; cl. 4, Amendt. 357; Amendt. 359; cl. 6, Amendt. 397; cl. 24, 598; add. cl. 778, 782, 1260; Consid. add. cl. 1420  
 Land, Transfer of, [200] 1048  
 Lighthouses, Use of Gas in, [200] 983

### PLATT, Mr. J., *Oldham*

- Elementary Education, Comm. cl. 65, [202] 1739  
 France—Commercial Treaty, Motion for a Committee, [201] 140

**PLAYFAIR, Dr. Lyon, *Edinburgh and St.****Andrew's Universities*

- Army—Military Education Commission, Res. [200] 1561  
 Census, Comm. cl. 4, [203] 1007  
 Contagious Diseases Acts Repeal, Leave, [201] 1324  
 Elementary Education, Comm. [202] 552; cl. 14, 1278; cl. 82, [203] 77  
 Hygienic Services of the State, [199] 324  
 Ireland—Trinity College, Dublin, Res. [200] 1144  
 Medical Officers Superannuation, 2R. [202] 722  
 Mines Regulation, &c. 2R. [199] 608  
 Post Office—Halfpenny Card Postage, [201] 1498  
 Scotland—Education, [199] 879  
 Supply—Education, Public, [203] 1120  
 University Tests, Comm. cl. 3, [201] 1957  
 Vaccination Act Amendment, 2R. [202] 1586  
 Women's Disabilities, 2R. [201] 229

**PLIMSOLL, Mr. S., *Derby Bo.***

- Mercantile Marine, Res. [203] 1102  
 Metropolis—Regent's Park Railing, [200] 208  
 Railway Travelling, 2R. [199] 1112

**PLUNKET, Hon. D. R., *Dublin University***

- India—Public Works Department—College for Engineering, [203] 1733  
 Ireland—Official Salaries, [202] 1620  
 Ireland—Trinity College, Dublin, Res. [200] 1097, 1117  
 Irish Land, Comm. cl. 5, Amendt. [201] 359, 365, 382

**Poaching Prevention Act Repeal Bill**

(Mr. Brown, Mr. Andrew Johnston, Sir David Wedderburn, Mr. Thomas Potter)

- c. Ordered; read 1<sup>o</sup> \* Mar 31 [Bill 93]  
 Moved, "That the Bill be now read 2<sup>o</sup>" July 6, [202] 1555  
 Amendt. to leave out "now," and add "upon this day three months" (*Viscount Galway*); after long debate, Question put, "That 'now,' &c.;" A. 62, N. 140; M. 78; words added; main Question, as amended, put, and agreed to; Bill put off for three months

**Police Superannuation Bill**

Question, Mr. Bolekow; Answer, Mr. Bruce Feb 15, [199] 329

**POLLARD-URQUHART, Mr. W., *Westmeath Co.***

- France—Commercial Treaty, Motion for a Committee, [201] 149  
 Ireland—Diocesan Registries, [203] 249  
 Ireland—Local Taxation, Motion for a Committee, [202] 126  
 Irish Land, Comm. cl. 1, [200] 761; cl. 3, 2010; cl. 5, [201] 378; cl. 41, 767; add. cl. 1260  
 National Debt, Res. [202] 1503  
 Supply—Grants for Civil Services, [199] 1954  
 Ways and Means—Financial Statement, [200] 9561

**POOR LAW**

- Birmingham Poor Law Guardians*, Question, Mr. Bromley-Davenport; Answer, Mr. Goschen April 4, [200] 1173  
*Burdens on Real Property—Foreign Countries*, Question, Mr. Acland; Answer, Mr. Goschen August 1, [203] 1276  
*Destitution in the Metropolis*, Question, Mr. John Talbot; Answer, Mr. Goschen Feb 15, [199] 327; Question, Mr. W. M. Torrens; Answer, Mr. A. Peel Mar 8, 1482  
*Dispensary System*, Question, Sir Michael Hicks-Beach; Answer, Mr. Goschen August 1, [203] 1284  
*Ellesmere Board of Guardians*, Question, Mr. Watkin Williams; Answer, Mr. Goschen Mar 22, [200] 419  
*Irish Paupers*, Question, Mr. M'Carthy Downing; Answer, Mr. Chichester Fortescue, Feb 25, [199] 796  
*Liability of Owners*, Questions, Mr. Acland, Sir Massey Lopes; Answers, Mr. Gladstone August 1, [203] 1277  
*Medway Union*, Question, Mr. P. Wykeham Martin; Answer, Mr. Stansfeld July 29, [203] 1194  
*Nazareth House, Hammersmith—Distraint for Extra Assessment*, Question, Viscount Enfield; Answer, Mr. Goschen June 30, [202] 1205  
*Officers' Guarantees*, Question, Mr. Brodrick; Answer, Mr. Goschen July 25, [203] 868  
*Pauperism and the Poor Laws*, Observations, Mr. Corrance Feb 9, [199] 112  
*Pontypridd Union*, Question, Sir Stafford Northcote; Answer, Mr. Goschen Feb 17, [199] 428  
*Poor Law Expenditure*, Question, Mr. W. H. Smith; Answer, Mr. Goschen Mar 28, [200] 725  
*Poor Rates, Equalization of, in the Metropolis*, Question, Mr. Wingfield Baker; Answer, Mr. Goschen Feb 25, [199] 806  
*Rating of Mines*, Question, Mr. Pease; Answer, Mr. Goschen Feb 17, [199] 427  
*Rating of Public Buildings—Vagrancy*, Questions, Mr. Cawley, Mr. Brodrick; Answers, Mr. Goschen June 20, [202] 490  
*Returns of Pauperism*, Question, Mr. Kekewich; Answer, Mr. Goschen June 27, [202] 1005  
*St. Pancras, Inquiry at*, Question, Mr. Eykyn; Answer, Mr. Goschen Feb 15, [199] 329  
*Union Rating (Ireland)*, Question, Mr. M'Mahon; Answer, Mr. Chichester Fortescue Mar 10, [199] 1621; Question, Mr. Kavanagh; Answer, Mr. Chichester Fortescue Mar 28, [200] 721  
*Vagrants, Police Regulation of*, Amendt. on Committee of Supply May 13, To leave out from "That" and add "in the opinion of this House, vagrants applying for shelter and food should be put under the protection, regulation, and management of the Police" (*Dr. Brewer*), [201] 632; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn  
*Westminster Union—Employment of Paupers*, Question, Mr. J. G. Talbot; Answer, Mr. Goschen Mar 11, [199] 1736  
*Workhouse Relief*, Question, Observations, Mr. Fielden; Reply, Mr. Goschen Feb 25, [199] 826



POOR LAW—*cont.*

Parl. Papers—  
 England—Twenty-second Report . . [123]  
 Scotland—Twenty-fourth Report . . [6]  
 Ireland—Twenty-third Report . . . [156]  
 Boarding out Pauper Children . . . 176  
 Poor Relief Returns . . . . . 463  
 Poor Law (Ireland) Returns, 1868-9 299

*Poor Law (Scotland)*

Moved, That a Select Committee be appointed, "to inquire into the operation of the Poor Law in Scotland, and whether any and what amendments should be made therein" (*Mr. Craufurd*) Feb 14, [199] 286; after short debate, Motion agreed to

And, on Feb 18, Committee nominated as follows:—*Mr. Craufurd* (Chairman), *Mr. Anderson*, *Sir Robert Anstruther*, *Mr. Armitstead*, *Mr. Cameron*, *Sir Edward Colebrooke*, *Mr. Ellice*, *Mr. Crum-Ewing*, *Mr. Orr Ewing*, *Mr. Fordyce*, *Mr. Gordon*, *Mr. John Hamilton*, *Mr. Loch*, *The Lord Advocate*, *Mr. Mackintosh*, *Mr. McLagan*, *Mr. Miller*, *Sir Graham Montgomery*, *Mr. Parker*, *Mr. Arthur Peel*, and *Sir David Wedderburn*  
 Report of Select Committee July 18 P. P. 357

Poor Relief (Metropolis) Bill

(*Mr. Goschen*, *Mr. Arthur Peel*)

c. Motion for Leave (*Mr. Goschen*) Feb 18, [199] 567; Bill ordered, after short debate; read 1°\* [Bill 36]

Moved, "That the Bill be now read 2°"  
*April* 25, [200] 1769

Amendt. to leave out "now," and add "upon this day six months" (*Dr. Brewer*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Bill read 2°

Committee; Report *April* 29, 2135

Considered\* *May* 6

Read 3°\* *May* 12

l. Read 1°\* (*The Lord Privy Seal*) *May* 13

Bill read 2°, after debate *May* 20, [201] 1049

Committee\*; Report *May* 23 (No. 97)

Read 3°\* *May* 24

Royal Assent *June* 20 [33 & 34 *Vict. c. 18*]

PORTARLINGTON, Earl of

*Irish Land*, 2R. [202] 357; *Comm. cl. 3*, 882; Report, *cl. 3*, 1443; *cl. 5*, Amendt. 1451; *cl. 10*, Amendt. 1452; *add. cl. 1454*

PORTMAN, Lord

*Sequestration*, 3R. [202] 953

POST OFFICE

*Communication with India and the Colonies*, Question, *Mr. Hadfield*; Answer, *The Marquess of Hartington* Feb 11, [199] 169

*Country Postmasters*, Question, *Mr. J. Howard*; Answer, *The Marquess of Hartington* July 11, [203] 37

*Dublin Mails* . . . . . P. P. 9

*Foreign Postage*, Question, *Mr. Crawford*; Answer, *The Marquess of Hartington* June 18, [201] 1944

[*cont.*]

POST OFFICE—*cont.*

*France—The Postal Treaty*, Question, *Sir Charles Adderley*; Answer, *The Marquess of Hartington* Feb 28, [199] 878

*Grantham Mail Bags*, Question, *Lord John Manners*; Answer, *The Marquess of Hartington* Mar 8, [199] 1480

*Halfpenny Card Postage*, Question, *Dr. Lyon Playfair*; Answer, *The Marquess of Hartington* May 27, [201] 1498

*Letter Carriers*, Question, *Sir Henry Hoare*; Answer, *The Marquess of Hartington* April 28, [200] 1815

*Letters of Officers on Foreign Stations*, Question, *Lord Henry Scott*; Answer, *The Marquess of Hartington* May 16, [201] 742; Question, *Lord Henry Scott*; Answer, *Mr. Stansfeld* May 23, 1191

*Mails to India, via Brindisi*, Question, *Mr. Stacpoole*; Answer, *The Marquess of Hartington* May 20, [201] 1058; *June* 20, [202] 492

*Newspaper Postage to France and Australia*, Question, *Mr. W. H. Smith*; Answer, *The Marquess of Hartington* Mar 31, [200] 991

*Oceanic Postal Contracts*, Question, *Mr. Rylands*; Answer, *The Marquess of Hartington* July 11, [203] 38

*Persia, Postal Communication with*, Question, *Mr. Eastwick*; Answer, *Mr. Otway Feb* 17, [199] 431

*Postal Service between America and England*, Question, *Sir John Ogilvy*; Answer, *The Marquess of Hartington* Mar 28, [200] 726; Question, *Mr. Baines*; Answer, *The Marquess of Hartington* May 13, [201] 631

*Postal Weight of English and Foreign Letters*, Question, *Mr. J. B. Smith*; Answer, *The Marquess of Hartington* July 4, [202] 1357

*Posting Trade Circulars in Belgium*, Question, *Mr. M. Guest*; Answer, *The Marquess of Hartington* June 20, [202] 490

*Scotland—Aberdeen Post Office*, Question, *Colonel Sykes*; Answer, *The Marquess of Hartington* June 13, [201] 1946—*Mails between Golspie and Thurso*, Question, *Sir Tollemache Sinclair*; Answer, *The Marquess of Hartington* May 26, 1407

Parl. Papers—

*Mail Contracts* (Mexico, &c.) . . . 1

*Postal Contracts*, 1869 . . . . . 212

*Post Office Money Orders—Convention with France* . . . . . [190]

*Additional Convention with France* [132]

*Savings Banks Accounts*, 1869 . . . 147

— *Balance Sheets*, 1869 . . . 328

— *Treasury Warrant* . . . 271

*Postage Rates* (India, &c.) . . . 329

*Inland Letters, &c.* 1868 . . . . . 92

*Mail Contracts* (Dover to Calais) . . 213

— (Southampton to New York) . . 214

— (Brazil and River Plate) . . . 316

— (Liverpool, Brazil, &c.) . . . 413

— (India, China, and Japan) . . . 424

*Telegraphs*

*India—Persian Gulf Telegraph*, Question, *Mr. Gregory*; Answer, *Mr. Grant Duff* Feb 24, [199] 764

*Ireland—Telegraphic Communication*, Question, *Mr. Stacpoole*; Answer, *The Marquess of Hartington* June 20, [202] 488; *June* 23, 785

[*cont.*]

POST OFFICE—cont.

*Ireland—Telegraphic Communication—Tuskar Lighthouse*, Questions, Mr. McMahon, Mr. Stacpoole; Answers, The Marquess of Hartington August 1, [203] 1281

*Telegraphic Communication (England and Ireland)*, Moved, "That it is of great importance to maintain uninterrupted Telegraphic Communication between Great Britain and Ireland; and, therefore, inasmuch as Submarine Telegraphic Wires are very liable to accident, and cannot be repaired as readily as those on land, it is necessary, in order to guard against interruption and delay, to lay down additional Submarine Cables sufficient to maintain the communication unimpaired under all circumstances which can reasonably be anticipated" (*Mr. Pim*) July 12, [203] 158; after short debate, Motion withdrawn

*Telegraphic Communication (Scotland)*, Question, Lord Garlies; Answer, Mr. Stansfeld August 4, [203] 1527

*Telegraph Communication between Germany and America*, Questions, Mr. Matthews, Mr. Pell; Answers, The Marquess of Hartington Feb 22, [199] 693

*Telegraphic Messages*, Question, Mr. Raikes; Answer, The Marquess of Hartington Feb 28, [199] 886; Questions, Lord Claud John Hamilton, Mr. Lea; Answers, The Marquess of Hartington Mar 6, 1240

*Telegraphic Statistics*, Question, Lord Henry Lennox; Answer, The Marquess of Hartington Feb 28, [199] 886

*Telegraphs and the Press*, Question, Sir Stafford Northcote; Answer, The Marquess of Hartington Mar 11, [199] 1739

*Telegraphs Department*, Question, Mr. Crawford; Answer, The Marquess of Hartington April 4, [200] 1172

*Telegraphs—Employment of Soldiers*, Question, Mr. Hanbury-Tracy; Answer, Captain Vivian Feb 18, [199] 530

*Telegraphs, Interruption of*, Questions, Mr. Baines, Mr. Malcolm; Answers, The Marquess of Hartington Feb 9, [199] 121; Question, Mr. Baines; Answer, The Marquess of Hartington Feb 17, 436

*Telegraphs, Mediterranean*, Question, Mr. Eykyn; Answer, The Chancellor of the Exchequer Mar 4, [199] 1238

Parl. Papers—

Telegraph Act (1869)—Stock created 267  
Telegraph Clerks, &c. . . . . 442  
Persian Gulf Telegraph . . . . . 166

*West of England Postal Service*, Question, Dr. Lush; Answer, The Marquess of Hartington July 5, [202] 1459

Post Office Bill

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)

c. Ordered; read 1<sup>o</sup> \* May 25 [Bill 144]  
Read 2<sup>o</sup> \* June 20  
Committee\*; Report June 27 [Bill 188]  
Committee\* (on re-comm.); Report July 14 [Bill 219]  
Re-comm.\*; Report August 1, [203] 1381  
Committee\*; Report; Considered; Read 3<sup>o</sup> August 2

[cont.]

Post Office Bill—cont.

l. Read 1<sup>a</sup> \* (*The Marquess of Lansdowne*) August 4 (No. 281)  
Read 2<sup>a</sup> \* August 5  
Committee\*; Report August 6  
Read 3<sup>a</sup> \* August 8  
Royal Assent August 9 [33 & 34 Vict. c. 79]

POTTER, Mr. E., *Carlisle*

Elementary Education, Comm. cl. 17, [202] 1311  
Print Works Act, [199] 235  
Workshops Regulation Act, [199] 235

POTTER, Mr. T. Bayley, *Rockdale*

Army Estimates—Vote of Credit, [203] 1462  
Navy—Admiralty Shipping Agents, [201] 1406  
Treaties of 1815, Reprint, [203] 1527

POWERSCOURT, Viscount

Irish Land, 2R. [202] 356; Comm. cl. 3, 881

POWIS, Earl of

Army Enlistment, 3R. [203] 1516  
Elementary Education, Comm. cl. 94, Amendt. [203] 1190  
Irish Land, Comm. cl. 41, Amendt. [202] 1079  
Married Women's Property, Comm. cl. 4, [203] 399  
Medical Act Amendment, Comm. cl. 18, [202] 1200

Prayer Book (Lectionary) Bill

Question, Earl Stanhope; Answer, The Lord Chancellor July 4, [202] 1330  
[See title *Church of England*]  
Prayer Book (Tables of Lessons) P. P. 449

Prayer Book (Table of Lessons Bill) formerly—

Prayer Book (Lectionary) Bill [H.L.] (The Lord Chancellor)

l. Presented; read 1<sup>a</sup> \* May 31 (No. 127)  
Bill read 2<sup>a</sup>, after debate July 7, [202] 1602  
203] Committee July 12, 99  
Report July 14, 238 (No. 202)  
Bill read 3<sup>a</sup> July 18, 401  
c. Read 1<sup>o</sup> \* July 20 [Bill 230]  
Bill withdrawn \* August 4

PRICE, Mr. W. E., *Tewkesbury*

Army—Reserve Forces, Officers in the, [203] 1282  
Navy—Medals for Japan, [199] 1479

Print Works Act, &c.

Question, Mr. E. Potter; Answer, Mr. Bruce Feb 14, [199] 235

Prisons and Prison Ministers' Acts

Moved, That a Select Committee be appointed, "to inquire into the operation of the Prisons Act and Prison Ministers' Act, so far as respects the religious instruction provided for prisoners other than those belonging to the Established Church" (*Mr. Maguire*) Mar 1, [199] 1077; after short debate, Question put; A. 80, N. 24; M. 50

[cont.]



*Prisons and Prison Ministers Acts—cont.*

And, on Mar 15, Select Committee nominated as follows:—Mr. Maguire (Chairman), Mr. C. Dalrymple, Mr. Dimsdale, Mr. Downing, Viscount Enfield, Mr. Robert Fowler, Mr. Arthur Guest, Lord Henley, Mr. Holt, Mr. Hutton, Mr. Knatchbull-Hugessen, Mr. Matthews, Mr. O'Reilly, Sir John Pakington, Lord Pelham, Mr. Synan, Mr. John Gilbert Talbot, Sir John Trelawny, and Mr. Walpole

Question, Mr. Maguire; Answer, Mr. Bruce  
July 4, [202] 1363

Report of Select Committee. *Parl. P.* 259

*Privy Seal, Office of Lord*

Amendt. on Committee of Supply July 25, To leave out from "That," and add "this House is of opinion that, with a view to the reduction of public expenditure, it is expedient that all unnecessary offices should be suppressed; and that at a time when reductions are being made in the lower appointments in the public service, it is fitting that the sinecure office of Lord Privy Seal should be abolished" (*Sir Charles Dilke*), [203] 885; after short debate, Question put, "That the words, &c.;" A. 170, N. 60; M. 110

**Processions (Ireland) Bill**

(*Mr. Chichester Fortescue, Mr. Solicitor General for Ireland*)

c. Ordered; read 1<sup>o</sup>\* June 16 [Bill 170]  
Moved, "That the Bill be now read 2<sup>o</sup>"  
July 7, [202] 1677

Amendt. to leave out "now," and add "upon this day three months" (*Mr. William Johnston*); Question proposed, "That 'now,' &c.;" after long debate, Moved, "That the debate be now adjourned" (*Mr. W. H. Gregory*); A. 111, N. 72; M. 39

Bill withdrawn\* July 18

**Protection of Inventions Bill**

(*Mr. Attorney General, Mr. Solicitor General*)

c. Ordered; read 1<sup>o</sup>\* June 9 [Bill 157]  
Read 2<sup>o</sup>\* June 10

Committee\*; Report June 13

Read 3<sup>o</sup>\* June 16

l. Read 1<sup>o</sup>\* (*The Earl of Lichfield*) June 17 (No. 142)

Read 2<sup>o</sup>\* July 4

Committee\*; Report July 7

Read 3<sup>o</sup>\* July 8

Royal Assent July 14 [33 & 34 Vict. c. 27]

**Provisional Orders Bills (Committees) Bill**

(*Mr. Dodson, Colonel Wilson Patten*)

c. Motion for Leave (*Mr. Dodson*) Feb 14, [199] 816; Bill ordered; read 1<sup>o</sup>\* [Bill 19]

Read 2<sup>o</sup>\* Feb 16

Committee\*; Report Feb 17

Read 3<sup>o</sup>\* Feb 18

l. Read 1<sup>o</sup>\* (*The Lord Redesdale*) Feb 21 (No. 11)

Read 2<sup>o</sup>\* Feb 24

Read 3<sup>o</sup>\* Feb 28

Royal Assent Mar 25 [33 Vict. c. 1]

*Public Accounts—Committee of*

Standing Order of the House [3rd April 1862] relative to the Committee of Public Accounts read, and amended, by leaving out the word "nine," and inserting the word "eleven," instead thereof (*Mr. Stansfeld*) Mar 28, [200] 788

And, on Mar 23, Committee nominated as follows:—Mr. Hunt (Chairman), Mr. Candlish, Lord Frederick Cavendish, Mr. Algernon Egerton, Mr. William Fowler, Mr. Goldney, Mr. Liddell, Mr. Pollard-Urquhart, Mr. Selater-Booth, Mr. Seely (Lincoln), and Mr. Stansfeld

*Parl Papers—*

First Report . . . . . 301

Second Report . . . . . 358

*Publications, Objectionable*

Question, Mr. Bentinck; Answer, Mr. Bruce  
July 28, [203] 1098

*Public Carriage Horses—Veterinary Inspection*

Question, Sir Henry Hoare; Answer, Mr. Bruce Mar 7, [199] 1580

*Public Health Commission—Hygienic Services of the State*

Question, Dr. Lyon Playfair; Answer, Sir Charles Adderley Feb 15, [199] 324

[See *Contagious Diseases*]

**Public Health (Scotland) Supplemental Bill** (*The Lord Advocate, Mr. Adam*)

c. Ordered; read 1<sup>o</sup>\* May 20 [Bill 136]

Read 2<sup>o</sup>\* May 23

Order for Committee discharged; Bill, so far as relates to Brechin, committed to a Select Committee May 30

Committee nominated by the Committee of Selection—Mr. Baines, Mr. Broadley, Mr. Norman Grosvenor, Mr. Verner (Armagh)

Committee\*; Report June 20

Re-comm\*; Report June 21

Read 3<sup>o</sup>\* June 22

l. Read 1<sup>o</sup>\* (*The Earl of Morley*) June 23

Read 2<sup>o</sup>\* and committed; The Committee to be proposed by the Committee of Selection July 1 (No. 154)

Committee nominated July 8—E: Tankerville, E. Bradford, V. De Vesci, L. Camoys (Chairman), L. Skelmersdale

Report of Select Committee July 14

Committee\* July 18 (No. 217)

Report\* July 19

Read 3<sup>o</sup>\* July 21

Royal Assent August 1 [33 & 34 Vict. c. cxxxii]

*Public Offices, The New*

Questions, Observations, Lord Redesdale; Replies, The Marquess of Lansdowne, The Duke of Argyll April 5, [200] 1278; Observations, Lord Redesdale; Reply, Earl Granville April 7, 1424

Ground Plans for, Question, Lord Redesdale; Answer, Earl Granville May 6, [201] 323

Home and Colonial Offices—*The Approaches to the Houses of Parliament*, Questions, Mr. Dudley Fortescue, Mr. Horsman; Answers, Mr. Ayrton June 30, [202] 1213

*Public Prosecutions*

Moved, "That a Select Committee be appointed to inquire into the present system of conducting public prosecutions in Scotland, with the view of amending that system, if necessary, and of extending to other parts of the United Kingdom the institution of Public Prosecutors" (*Sir David Wedderburn*) *May* 10, [201] 465; after debate, Question put, and negatived

**Public Prosecutors Bill** (*Mr. Eykyn, Mr. Vernon Harcourt, Mr. Rathbone, Viscount Sandon*)

- c. Ordered; read 1<sup>o</sup> *Feb* 22 [Bill 45]  
 Bill read 2<sup>o</sup>, and committed to a Select Committee, after short debate *May* 4, [201] 240  
 And, on *May* 16, Committee nominated as follows:—*Mr. Gathorne Hardy* (Chairman), *Mr. Attorney General*, *Mr. Ball*, *Mr. Bonham-Carter*, *Mr. Downing*, *Mr. Eykyn*, *Mr. Gordon*, *Mr. Russell Gurney*, *Mr. Vernon Harcourt*, *Mr. Hibbert*, *Mr. Staveley Hill*, *Mr. Rathbone*, *Mr. Scourfield*, *Mr. Walpole*, and *Mr. West*  
 Report of Select Committee *May* 30  
 Minutes of Proceedings (No. 260)  
 Bill withdrawn *July* 8  
 Question, *Mr. Rathbone*; Answer, *Mr. Bruce*  
*July* 18, [203] 408

**Public Schools Act (1868) Amendment Bill**

- (*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)  
 c. Ordered; read 1<sup>o</sup> *July* 6 [Bill 200]  
 Read 2<sup>o</sup> *July* 18  
 Order for Committee read; Moved, "That *Mr. Speaker* do now leave the Chair" *July* 27, [203] 1047  
 After short debate, Amendt. to leave out from "That" and add "this House will, upon this day three months, resolve itself into the said Committee" (*Mr. Winterbotham*); Question, "That the words, &c.," put, and agreed to; main Question, "That *Mr. Speaker*, &c.," put, and agreed to; Committee—*a.p.*  
 Committee\*; Report *July* 29  
 Considered\*; read 3<sup>o</sup> *August* 1  
 l. Read 1<sup>o</sup> (*The Lord President*) *August* 2  
 Read 2<sup>o</sup> *August* 5 (No. 272)  
 Committee\*; Report *August* 6  
 Read 3<sup>o</sup> *August* 8  
 Royal Assent *August* 9 [33 & 34 *Vict.* c. 84]

*Public Schools—The Governing Bodies*

- 200] Moved, "That an humble Address be presented to Her Majesty, praying Her to be pleased to order that in the five Statutes for determining and establishing the constitution of the new governing bodies of Shrewsbury, Winchester, Harrow, Charterhouse, and Rugby Schools, the words requiring membership of the Church of England as a qualification in the case of persons elected or nominated members of the governing bodies may be omitted" (*Mr. Thomas Hughes*) *April* 5, 1879; after short debate, Debate adjourned

[cont.]

*Public Schools—cont.*

- 201] Debate resumed *May* 3, 176; after short debate, Moved, "That the debate be now adjourned" (*Major Walker*); after further short debate, Motion withdrawn; Original Question withdrawn  
 Moved, "That an humble Address be presented to Her Majesty, humbly to express the desire of this House that in the exercise of the power conferred upon Her Majesty by the 9th, 10th, and 19th sections of the Act 31 and 32 *Vic.* c. 118, with respect to the five Statutes for determining and establishing the constitution of the new governing bodies of Shrewsbury, Winchester, Harrow, Charterhouse, and Rugby Schools, Her Majesty will be pleased to ascertain whether the said Statutes correspond with the provisions of the 17th and 19th sections of the Endowed Schools Act of 1869, and, if they do not correspond with the said sections, to disapprove of them, or of so much of them, accordingly" (*Mr. Thomas Hughes*); Debate adjourned  
 Debate resumed *May* 27, 1559; after short debate, Debate further adjourned  
 Debate resumed *May* 30, 1683; Amendt. to leave out from "Majesty" and add "representing that the five Statutes for determining and establishing the constitution of the new governing bodies of Shrewsbury, Winchester, Harrow, Charterhouse, and Rugby Schools, have been considered by this House, and humbly to express their desire that, as since the passing of the Public Schools Act 1868 the Endowed Schools Act 1869 has passed, Her Majesty will be pleased to refer back those Statutes to the Special Commissioners appointed under the Public Schools Act, in order that they may have the opportunity of reconsidering certain parts of the said Statutes with reference to the principles applied in the Endowed Schools Act to other Endowed Schools" (*Mr. Russell Gurney*); Question proposed, "That the words, &c.," after short debate, Moved, "That the Debate be now adjourned" (*Mr. Newdegate*); A. 30, N. 55; M. 25  
 Question again proposed; Moved, "That this House do now adjourn" (*Mr. Charley*), put, and negatived; Question, "That the words, &c.," put, and negatived; Question put, "That those words be there added;" A. 54, N. 26; M. 28; main Question, as amended, put, and agreed to  
 202] Her Majesty's Answer to the Address [30th *May*] *June* 21, 670

*Harrow and Winchester Schools*

- Question, *Mr. Winterbotham*; Answer, The Solicitor General *July* 11, [203] 33  
 Amendt. on Committee of Supply *July* 26, To leave out from "That" and add "in the opinion of this House, it is inexpedient that the Revised Statutes for the constitution of the new Governing Bodies of Harrow and Winchester Schools should require that any person, in order to be qualified to be elected or nominated a member of the Governing Bodies, must be a member of the Church of England" (*Mr. Stevenson*), [203] 978; after debate, Question put, "That the words, &c.," A. 86, N. 73; M. 12

[cont.]



*Public Schools—cont.*

*Public Schools, Statutes of the*, Question, Mr. H. B. Samuelson; Answer, Mr. Gladstone *Mar 3*, [199] 1143

*Rugby School*, Question, Sir Stafford Northcote; Answers, Mr. Brand, Mr. W. E. Forster *Mar 25*, [200] 638

Governing Body . . . *l.*, *Parl. P.* 24

*Parl. Papers—*

Statutes . . . . . 58-I, II

Draft Statutes, Rugby . . . *l.* 162

Winchester . . . 163

Shrewsbury . . . 164

Harrow . . . 165

Charterhouse . . . 166

*Public Service—Competition*

Moved, "That there be laid before this House, Copies of any Treasury Minute that may have been passed on the subject of first appointments to the subordinate offices in the Public Service by unrestricted competition:

"And, of any Correspondence that may have taken place thereon between the Treasury and the Heads of the other Departments" (*Mr. Sinclair Aytoun*) *July 12*, [203] 153; after short debate, Motion withdrawn

*Quarantine Laws—Infectious Disease on Board Vessels*

Question, Mr. Edwards; Answer, Mr. W. E. Forster *July 25*, [203] 876

*Queen Anne's Bounty (Superannuation) Bill* (*Mr. Bouverie, Mr. Gathorne Hardy*)

c. Ordered; read 1<sup>o</sup> \* *April 29* [Bill 114]  
Moved, "That the Bill be now read 2<sup>o</sup>" *July 27*, [203] 1012

Amendt. to leave out "now," and add "upon this day three months" (*Mr. Rylands*); after long debate, Question put, "That 'now,' &c.," A. 100, N. 43; M. 57; main Question put, and agreed to; Bill read 2<sup>o</sup>

Order for Committee read *August 4*, 1569

After short debate, Moved, "That Mr. Speaker do now leave the Chair;" Question put; A. 64, N. 18; M. 46; Committee; Report Considered \*; read 3<sup>o</sup> *August 5*

*l.* Read 1<sup>st</sup> \* (*The Lord Bishop of London*) *August 6*

Read 2<sup>nd</sup> \*; Committee negatived; read 3<sup>rd</sup> *August 8* (No. 305)

Royal Assent *August 9* [33 & 34 *Vict.* c. 89]

*Queen's Bench, Court of — The Vacant Judgeship*

Question, Mr. Staveley Hill; Answer, Mr. Gladstone *Feb 14*, [199] 245

*RAIKES, Mr. H. C., Chester*

Africa, West Coast—Medical Officers, [202] 128

Army—Medical Regulations, [199] 1372

Military Train and the Control Department, [201] 967

Ballot, 2R. [200] 51, 53

*RAIKES, Mr. H. C.—cont.*

Elementary Education, 3R. [203] 750

Married Women's Property, 2R. [201] 887

Married Women's Property (No. 2), Leave, [199] 284

Parliament—Sligo Borough Writ, [201] 528

Sligo and Cashel Disfranchisement, 2R. [202] 315

Telegraphic Messages, [199] 886

University Tests, 2R. [201] 1215; *Comm. cl.* 3, 1959

*Railway Construction Facilities Act (1864) Amendment Bill*

(*Mr. Whalley, Mr. M'Mahon*)

c. Motion for Leave (*Mr. Whalley*) *Feb 11*, [199] 191; Bill ordered, after short debate; read 1<sup>o</sup>

Bill withdrawn \* *June 21* [Bill 18]

*Railway Travelling Bill*

(*Mr. Plimsoll, Mr. Alderman Carter, Mr. Richard Shaw, Mr. Rylands, Mr. Candlish*)

c. Ordered; read 1<sup>st</sup> \* *Feb 18* [Bill 37]

Moved, "That the Bill be now read 2<sup>o</sup>" *Mar 2*; [199] 1112

Amendt. to leave out "now" and add "upon this day six months" (*Mr. Dillwyn*); after short debate, Question put, "That 'now,' &c.," A. 76, N. 108; M. 32; words added; main Question, as amended, put, and agreed to; Bill put off for six months

*Railways*

*Collisions on*, Question, Major Allen; Answer, Mr. Shaw *Feb 28*, [200] 718

*Metropolitan District Railway*, Question, Mr. Sherriff; Answer, Mr. Ayrton *April 11*, [200] 1603

*Railway Accidents—Parl. Papers—*

Reports of Inspectors, 1869 . . . [42]

" " 1870 [74, 122, 171]

Return, 1869 " . . . [144]

Railway Duty, Return . . . [169]

Railways (Capital, &c.) . . . *l.* [318]

*Railway Accidents Compensation*, Moved, "That a Select Committee be appointed to inquire into the law and the administration of the law of compensation for accidents as applied to Railway Companies" (*Mr. Denison*) *April 26*, [200] 1908

Amendt. at end of Question, to add "and also to inquire whether any and what precautions ought to be adopted by Railway Companies with a view to prevent accidents" (*Mr. Hinde Palmer*); after short debate, Question, "That those words be there added," put, and agreed to; words added; main Question, as amended, put, and agreed to

And, on May 24, Committee nominated as follows:—Mr. Headlam (Chairman), Mr. Dalglish, Mr. Davison, Mr. Denison, Mr. Shaw *Lefevre*, Mr. Lopes, Mr. James Lowther, Mr. Mowbray, Mr. Hinde Palmer, Mr. Plunket, Mr. W. P. Price (Gloucester), Mr. Charles Reed, Mr. Sclater-Booth, Sir Henry Selwin-Ibbetson, Mr. Sherriff, and Mr. Rowland Winn

Report of Select Committee . *P. P.* 341

*Workmen's Trains*, Question, Mr. Reed; Answer, Mr. Shaw *Lefevre* *Mar 3*, [199] 1138; *Mar 28*, [200] 727

**Railways (Powers and Construction) Bill**

(Mr. Shaw Lefevre, Mr. Stansfeld)

- c. Ordered; read 1<sup>st</sup> Mar 17 [Bill 76]  
 Read 2<sup>nd</sup> \* April 29  
 Committee\*; Report May 6  
 Considered \* May 10  
 Read 3<sup>rd</sup> \* May 11  
 l. Read 1<sup>st</sup> \* (The Lord Privy Seal) May 12  
 Read 2<sup>nd</sup> \* May 24 (No. 96)  
 Committee\*; Report May 27  
 Read 3<sup>rd</sup> \* May 30  
 Royal Assent June 20 [33 & 34 Vict. c. 19]

**RATHBONE, Mr. W., Liverpool**

Attorneys and Solicitors Remuneration, 2R. [199] 756

Census, Comm. cl. 4, [203] 1009

Customs and Inland Revenue, Comm. [201] 1776

Elementary Education, Comm. cl. 7, [202] 1038; cl. 22, 1322; Consid. cl. 27, [203] 498

Foreign Enlistment, 2R. [203] 1380; Comm. cl. 8, 1508; cl. 9, 1510; cl. 10, 1511

Local Taxation, Motion for a Committee, [199] 655

Merchant Shipping Code, 2R. [201] 1987

Metropolis—Thames Embankment, Motion for an Address, [202] 1767

Parliament—Sittings of the House, Res. [202] 713

Pilots, 2R. [199] 776

Public Prosecutors, 2R. [201] 241; [203] 408

Representation of the People Acts Amendment, 2R. [202] 175

Supply—Education, National (Ireland), [203] 1482

**READ, Mr. Clare S., Norfolk, S.**

Assessed Duty on Male Servants, [203] 350

Carriages, Duty on, [201] 970

Corrupt Practices at Elections, Motion for a Return, [202] 1550

Customs and Inland Revenue, Comm. cl. 6, [201] 1802, 1804, 1805

Elementary Education, Comm. cl. 10, [202] 1226, 1231; cl. 46, 1667

Game Laws Abolition, 2R. [203] 551

Gun Licences, Consid. [203] 693; 3R. 763

199] Irish Land, 2R. 1532

200] Comm. cl. 1, 1011, 1023, 1029; cl. 2, 1042; cl. 3, 1227, 1485, 1527, 2016

201] cl. 4, 300; cl. 5, 371; cl. 7, 398; cl. 8, 410; cl. 11, 414; cl. 19, 591; add. cl. 996;

Consid. cl. 19, 1441

Malt Tax, Res. [199] 1260

Metropolis—Waterside Cattle Market, [200] 1550

Navy—African Squadron, Res. [200] 852

Navy—Gurdon, Commander, Case of, Res. [201] 1461

Norwich Election Commission, [199] 1629

Norwich Voters Disfranchisement, 2R. [200] 1806

Pilots, Comm. [202] 597

Poaching Prevention Act Repeal, 2R. [202] 1569

Royal Forests, [199] 818

Supply—Privy Council Office, [202] 399, 403

Woods, Forests, &amp;c. [203] 678, 681

Vagrants, Police Regulation of, Res. [201] 650

Ways and Means—Financial Statement, [200] 1671; Report, Res. 7, 1723

**Real Actions Abolition Bill** *Formerly***Common Law Procedure (Ireland) Bill**

(Mr. Solicitor General for Ireland, Mr. Chichester Fortescue)

- c. Ordered; read 1<sup>st</sup> \* July 27 [Bill 242]  
 Read 2<sup>nd</sup> \* July 28  
 Committee\*; Report July 29  
 Read 3<sup>rd</sup> \* August 1  
 l. Read 1<sup>st</sup> \* (The Lord Dufferin) August 2  
 Read 2<sup>nd</sup> \* August 4 (No. 271)  
 Committee \* August 5  
 Report \* August 6  
 Read 3<sup>rd</sup> \* August 8  
 Royal Assent August 10 [33 & 34 Vict. c. 109]

**Real Estate Succession Bill**

(Mr. Attorney General, Mr. Chancellor of the Exchequer, Mr. Solicitor General)

- c. Ordered; read 1<sup>st</sup> \* Mar 18 [Bill 81]  
 Question, Lord Redesdale; Answer, The Lord Chancellor May 31, [201] 1698  
 Bill withdrawn \* July 7

**REBOW, Mr. J. Gurdon, Colchester**

Navy—Gurdon, Commander, Case of, Res. [201] 1458

**REDESDALE, Lord (Chairman of Committees)**

Belgium—Neutrality of, [203] 1764

Elementary Education, Report, cl. 7, Amendt. [203] 1266

Foreign Enlistment, Comm. [203] 1680

Gas and Water Facilities, Comm. [203] 622

Glebe Loans (Ireland), 3R. [203] 1680; add. cl. 1682

Habitual Criminals, [200] 571

High Court of Justice, 2R. [200] 195

Ireland—Crimes and Disorders, Repression of, [199] 1862

Irish Church Act (1869) Amendment, 1R. [199] 991; 2R. [201] 1263, 1269, 1270

Irish Land, Comm. [202] 741; cl. 40, 1076; Report, cl. 3, 1430; Amendt. 1446, 1448; 3R. 1702

Judges Jurisdiction, 1R. [199] 526

National Gallery, Motion for Returns, [200] 316

Opposed Private Bills, Committee of Selection, [199] 412

Owens College Extension, 2R. [199] 1117, 1468, 1471, 1475, 1476; 3R. [200] 1147

Parliament—Public Business, [199] 423

Parochial Schools (Scotland), [200] 304

Peace Preservation (Ireland), Report, cl. 15, Amendt. [200] 982

Pier and Harbour Orders Confirmation, Comm. [202] 623

Poor Relief (Metropolis), 2R. [201] 1053

Public Offices, New, [200] 1278, 1280, 1424; [201] 323, 324

Real Estate Succession, [201] 1698

Settled Estates, 2R. [203] 609; Comm. 920

Sligo and Cashel Disfranchisement, 2R. [202] 1598, 1601

Southwark Park, &amp;c. [203] 1684, 1685

Street Tramways, [199] 114

Tramways, 2R. [201] 1501; Comm. [203] 232



# *Red River Settlement*

*Affairs in*, Question, Sir Harry Verney; Answer, Mr. Monsell Feb 10, [199] 118; Question, Mr. Whalley; Answer, Mr. Monsell Mar 17, [200] 73; Question, Mr. Sinclair Aytoun; Answer, Mr. Monsell April 4, 1172 Postponement of Motion (*Mr. R. Fowler*) April 29, [200] 2060; Question, Mr. Monsell; Answer, Mr. R. N. Fowler Feb 18, [199] 532

*Hudson's Bay Company*, Question, Mr. Gourley; Answer, Mr. Monsell Feb 17, [199] 427

*Red River Expedition*, Question, Mr. R. Torrens; Answer, Mr. Monsell April 26, [200] 1816

*The Insurrection in—Execution of Colonel Scott*, Question, Mr. Whalley; Answer, Mr. Monsell April 7, [200] 1431; Question, Lord Lyveden; Answer, Earl Granville May 5, [201] 251; Question, Sir Charles Adderley; Answer, Mr. Monsell May 5, 280; May 6, 325; Observations, Mr. R. N. Fowler; Reply, Mr. Monsell; short debate thereon May 20, 1088 Further Correspondence . P. P. [207] Petition of Inhabitants . . . . . 443

[See title *Canada, Dominion of—Address for Papers*]

# *Red Sea Survey*

Question, Mr. Gourley; Answer, Mr. Childers April 29, [200] 2059

# *REED, Mr. C., Hackney*

Conventual and Monastic Institutions, [201] 6; Motion for a Committee, 82 Elementary Education, Comm. [202] 816; *cl.* 7, 1051; *cl.* 17, 1316; *cl.* 27, 1418; *cl.* 29, 1478; *cl.* 31, Amendt. 1480 Oxford—Privileged Students at, [199] 1734 Railway Companies, Motion for a Committee, [200] 1911 Railways—Workmen's Trains, [199] 1138; [200] 727 Writers under the Board of Customs, [203] 1688

# *Registration of Voters Bill*

(*Mr. Dodds, Lord Eustace Cecil, Mr. Pease, Mr. Andrew Johnston*)

c. Ordered; read 1<sup>o</sup> Mar 1 [Bill 53] Moved, "That the Bill be now read 2<sup>o</sup>" Mar 16; debate adjourned Referred to Select Committee \* Mar 17 And, on March 28, Committee nominated as follows:—Mr. Knatchbull-Hugessen (Chairman), Mr. Wentworth Beaumont, Mr. Henry Robert Brand, Sir Edward Colebrooke, Mr. Cross, Mr. Dodds, Mr. Algernon Egerton, Lord Claud John Hamilton, Mr. Henniker-Major, Mr. Andrew Johnston, Sir Harcourt Johnstone, Mr. Pease, Mr. Pell, Mr. Raikes, Mr. Clare Read, Mr. Richards, Mr. Winn, and Mr. Wynn Report of Select Committee July 18 P. P. 360

# *Registration of Voters Bill*

(*Mr. Vernon Harcourt, Sir Charles Dilke, Mr. Rathbone*)

c. Ordered; read 1<sup>o</sup> \* May 30 [Bill 149]

# *Rents and Periodical Payments Bill*

(*Sir Roundell Palmer, Mr. Amphlett*)

c. Ordered; read 1<sup>o</sup> \* June 16 [Bill 169] Read 2<sup>o</sup> \* June 28 Committee\*; Report June 30 Considered\*; read 3<sup>o</sup> July 4 l. Read 1<sup>st</sup> \* (*The Lord Cairns*) July 5 (No. 180) Read 2<sup>nd</sup> \* July 14 Committee\*; Report July 15 Read 3<sup>rd</sup> \* July 18 Royal Assent August 1 [33 & 34 Vict. c. 35]

# *Representation of the People Acts Amendment Bill*

(*Mr. Harcastle, Mr. Vernon Harcourt, Mr. Thomas Potter*)

c. Motion for Leave (*Mr. Harcastle*) Feb 14, [199] 267; Bill ordered, after short debate Read 1<sup>o</sup> \* Feb 15 [Bill 287] Moved, "That the Bill be now read 2<sup>o</sup>" June 15, [202] 129 Previous Question put, "That that Question be now put" (*Mr. Collins*); after long debate, Question put; A. 181, N. 181; and the numbers being equal, Mr. Speaker declared himself with the Ayes; main Question put; A. 175, N. 183; M. 8; Division List, Ayes and Noes, 180 And it being Six of the clock, Mr. Speaker adjourned the House till To-morrow, without putting the Question

# *Revenue Officers—Electoral Disabilities*

Moved, "That a Select Committee be appointed to inquire and report as to electoral restraints and disabilities affecting the Civil Servants of the Crown in the several branches of the Revenue Department, and to consider the expediency of removing them in certain cases" (*Mr. Monk*) Feb 22, [199] 697; after short debate, Motion withdrawn

# *RICHARD, Mr. H., Merthyr Tydvil*

\*Elementary Education, 2R. [200] 263; Comm. Amendt. [202] 495; *cl.* 82, [203] 79 Oceanica—Expedition to, [203] 1735 Sites for Places of Worship, 2R. [200] 1392

# *RICHARDS, Mr. E. M., Cardiganshire*

Friendly Societies, [202] 1786; Motion for an Address, 1788, 1789 Friendly Societies Returns, [200] 1430 War, The, [203] 1342

# *RICHMOND, Duke of*

Army Enlistment, Comm. *cl.* 3, [203] 1262; *cl.* 6, 1264; 3R. 1516, 1517 Benefices, 2R. [202] 1342 Benefices Resignation, 3R. [202] 1694; [203] 107, 115 Bridgwater and Beverley Disfranchisement, 2R. [201] 1491 Canada—Fenians, Invasion by, [201] 1466 Canada—Canadian Volunteers, Res. [203] 721 Cattle Disease (Ireland), 3R. [203] 236, 237 Clarendon, Late Earl of, [202] 951 Coinage, Comm. [200] 412 Criminal Statistics, Address for a Return, [200] 1156

[cont.]

**RICHMOND, Duke of—cont.**

- Ecclesiastical Titles Act Repeal, 2R. [201] 1490  
 Elementary Education, 2R. [203] 854; Comm. cl. 3, 1159; cl. 7, 1171, 1173; cl. 23, Amendt. 1185; Schedule II, Amendt. 1191; Report, cl. 7, 1266  
 France and Prussia—Neutrality of Belgium, [203] 1675  
 High Court of Justice, 2R. [200] 194; Comm. [201] 1581  
 Ireland—Crimes and Disorders, Repression of, [199] 1861  
 202] Irish Land, 2R. 21; Comm. cl. 1, Amendt. 748, 755; cl. 2, 756; cl. 3, Amendt. 758, 774, 776, 777, 778, 780, 781, 860; Amendt. 868, 875, 882, 888, 891, 892; cl. 4, 956; Amendt. 958, 959, 960, 963, 966; cl. 5, 973, 974, 980; add. cl. 990, 992; cl. 8, Amendt. 993, 996; cl. 12, 1054, 1056; cl. 14, 1061; add. cl. 1064; cl. 21, 1068; cl. 40, 1077; cl. 41, 1080, 1084; cl. 54, Amendt. 1085; cl. 66, Amendt. ib.; cl. 68, 1087; Report, cl. 3, 1431; cl. 5, 1450, 1455  
 203] Commons Amendts. 331; cl. A, 335; cl. 8, 336, 820  
 Life Assurance Companies, 2R. [203] 391  
 Medical Act Amendment, Comm. cl. 2, Amendt. [202] 1197; cl. 18, 1200  
 Medical Officers Superannuation, Comm. [203] 479  
 Parliament—Order of Debate, [201] 1938  
 Peace Preservation (Ireland), 2R. [200] 798, 828  
 Poor Relief (Metropolis), 2R. [201] 1052  
 Settled Estates, 2R. [203] 609  
 University Tests, Nomination of Committee, [203] 631  
 War Office, 2R. [201] 92; Comm. cl. 2, 458  
 Wellington, Duke of—Monument, Motion for Papers, [200] 1282

*Richmond Park—The Roehampton Gate*  
 Question, Mr. Alderman W. Lawrence; Answer, Mr. Ayrton May 13, [201] 629

**RIDLEY, Mr. M. W., Northumberland, N.**  
 Herring Fisheries, [199] 1141

**RIPON, Bishop of**  
 Marriage with a Deceased Wife's Sister, 2R. [201] 920

*Ritual Commission*  
 Third Report . . . . . P. P. [17]

*Rivers, Pollution of*  
 Commission (1868) First Report—  
     Vol. 1 . . . . . P. P. [37]  
     Vol. 2 . . . . . [109]  
     (1861) Second Report [180]  
 Commission, Question, Mr. J. Howard; Answer, Mr. Bruce Mar 1, [199] 999  
 Legislation, Question, Mr. Dimsdale; Answer, Mr. Bruce Feb 25, [199] 800  
     The Thames at Barking—Report . [7]  
     Mersey and Ribble . . . . . [37, 109]  
     Treatment of Sewage . . . . . [181]

**ROBERTSON, Mr. D., Berwickshire**  
 Irish Land, Comm. cl. 4, [201] 301, 311

**RODEN, Mr. W. S., Stoke-on-Trent**  
 Army—Volunteers, [199] 684  
 India—Railways, [199] 1237, 1735  
 Mines Regulation, &c. 2R. [199] 632  
 Navy—Coastguard Service, [199] 768  
 Navy Estimates—Dockyards, &c. [199] 1306  
 Queen Anne's Bounty (Superannuation), 2R. [203] 1014

**ROMILLY, Lord**  
 Appellate Jurisdiction, Comm. [201] 1931  
 Attorneys and Solicitors Remuneration, Comm. cl. 4, [201] 1919  
 Benefices, 2R. [202] 1341; Comm. [203] 234  
 Ecclesiastical and Diocesan Records, Motion for a Return, [200] 717  
 High Court of Justice, 2R. [200] 186, 188; Comm. 2038, 2056; [201] 1584  
 Ireland—Records, Motion for Papers, [201] 271  
 Judges Jurisdiction, 1R. [199] 525  
 Judicial Committee, Comm. [203] 624; 3R. 865  
 Judicial Committee of the Privy Council, Motion for an Address, [202] 1292  
 Married Women's Property, 2R. [202] 608; Comm. cl. 7, Amendt. [203] 623  
 Owens College Extension, 2R. [199] 1473  
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**ROMNEY, Earl of**  
 Army Enlistment, 3R. [203] 1517;

*Royal Forests*  
 Observations, Mr. Goldney; Reply, Mr. Stansfeld; short debate thereon Feb 25, [199] 815  
 [See title *New Forest*]

**ROYSTON, Right Hon. Viscount, Cambridgeshire**  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 2032  
 Game Laws, Res. [201] 1906  
 Horse Racing, Leave, [201] 1360

**RUSSELL, Earl**  
 Colonies, Address for a Commission, [202] 451, 485  
 Ecclesiastical Titles Act Repeal, 2R. [201] 1480  
 Elementary Education, Comm. cl. 3, Amendt. [203] 1156, 1159; Report, 1265  
 France and Prussia, [203] 379  
     Ministerial Statement, [203] 1051, 1060  
 Greece—Murder of British Subjects, Motion for an Address, [203] 25  
 Irish Land, 2R. [202] 40, 45, 46; Comm. cl. 3, 761, 764  
 Militia Acts Amendment, 2R. [203] 1387, 1398, 1399  
 University Tests, Motion for a Select Committee, [203] 229

**RUTLAND, Duke of**  
 Elementary Education, 2R. [203] 863; Comm. cl. 7, 1171; cl. 73, 1188  
 Irish Land, 2R. [202] 380  
 Metropolis—Kensington Gardens, [201] 626



**RYLANDS, Mr. P., *Warrington***

Bavaria—French Legation at Munich, [203] 1521

Belgium—Neutrality of, [203] 1742

China—Consular Establishments, [201] 1190

Customs and Inland Revenue, 2R. [201] 1631

Diplomatic and Consular Services, Motion for a Committee, [199] 316, 691

Foreign Office Agencies, [199] 1139

Compensation to, [201] 392

Game Laws, Res. [201] 1907

Gun Licences, Comm. cl. 3, [202] 855

Navy—Admiralty Anchors, [201] 1405

Navy—African Squadron, Res. [200] 833, 858

Navy—Gurdon, Commander, Case of, Res. [201] 1456

Navy Estimates—Naval Stores, [201] 1743, 1744

Post Office—Letter Postage, [203] 36

Queen Anne's Bounty (Superannuation), 2R. Amendt. [203] 1013; Comm. 1569

Sale of Liquors on Sundays, 2R. [202] 1190

Spain—Choice of a King—Mr. Layard and Prince Leopold of Hohenzollern, [203] 649

Sunday Trading, 2R. [202] 1578

Supply—Board of Lunacy (Scotland), [203] 804

Civil Service Commission, [203] 370

Civil Service Estimates, [199] 1571, 1576

Colonies—Grants in Aid, [203] 1244

Constabulary (Ireland), [203] 1125

Consular Services, [203] 1243

Copyhold Inclosure and Tithe Commission, [203] 371

County Courts, [203] 994

Embassies and Missions Abroad, [203] 1222, 1227

Embassy Houses Abroad, [203] 921

Embassy Houses, Constantinople, [203] 921

Exchequer and Audit Department, [203] 371

Foreign Office, Salaries, Amendt. [202] 394

Grants for Civil Services, [199] 1956

Home Department, [202] 393

Land Registry Office, [203] 996

Law Charges, [203] 990

Lord Lieutenant (Ireland)—Expenses, Amendt. [203] 922

Miscellaneous Expenses, [199] 1579

New Courts of Justice, [203] 1467

Offices of the House of Lords, [202] 384

Privy Council Office, [202] 400

Registrars of Friendly Societies, Amendt. [203] 670, 671

Salaries, &c. Works and Public Buildings, [203] 689

Secret Services, Amendt. [203] 690

Stationery, Printing, &c. [203] 672

Superannuation, &c. [203] 1247, 1479

Turkey—Fire at Constantinople, [201] 1947; [202] 262, 493

University Tests, Comm. cl. 3, [201] 1958

**ST. LEONARDS, Lord**

Ecclesiastical Titles Act Repeal, 2R. Amendt. [201] 1476, 1489

**Saint Olave, &c. Charities Bill**

(*Mr. William Edward Forster, Mr. Secretary Bruce*)

c. Ordered; read 1<sup>o</sup> \* May 30 [Bill 152]

Read 2<sup>o</sup> \* June 9

Committee\*; Report June 10

Read 3<sup>o</sup> \* June 13

l. Read 1<sup>a</sup> \* (*The Lord President*) June 14

Read 2<sup>a</sup> \* June 17 (No. 138)

Committee\*; Report June 23

Read 3<sup>a</sup> \* June 24

Royal Assent July 14 [33 & 34 Vict. c. 117]

**Sale of Liquors on Sunday Bill**

(*Mr. Rylands, Mr. Candlish, Mr. Birley, Mr. Osborne Morgan*)

c. Ordered; read 1<sup>o</sup> \* Mar 1 [Bill 57]

Moved, "That the Bill be now read 2<sup>o</sup>," June 29, [202] 1190; after short debate, Debate adjourned

Debate resumed August 3, [203] 1487

Amendt. to leave out "now," and add "upon this day three months" (*Mr. Alderman Lawrence*); Question, "That 'now,' &c.," put, and negatived; words added; main Question, as amended, put, and agreed to; Bill put off for three months

**Sale of Poisons, &c. (Ireland) Bill**

(*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*)

c. Ordered; read 1<sup>o</sup> \* May 9 [Bill 122]

Bill withdrawn \* May 23

**Sale of Poisons (Ireland) Bill**

(*Mr. Attorney General for Ireland, Mr. Chichester Fortescue*)

c. Ordered; read 1<sup>o</sup> \* May 23 [Bill 140]

Read 2<sup>o</sup> \* May 26

Committee\*; Report May 30

Considered \* May 31

Committee\* (*on re-comm.*); Report; Considered; read 3<sup>o</sup> June 20

l. Read 1<sup>a</sup> \* (*The Lord Dufferin*) June 21

Read 2<sup>a</sup> \* July 7 (No. 149)

Committee\*; Report July 11

Read 3<sup>a</sup> \* July 12

Royal Assent July 14 [33 & 34 Vict. c. 26]

**SALISBURY, Marquess of**

Attorneys and Solicitors Remuneration, Comm. cl. 4, [201] 1919; 3R. [202] 1196, 1197

Benefices, 2R. [202] 1340

Bridgwater and Beverley Disfranchisement, Comm. cl. 1, [201] 1696, 1698

Canada—Fenians, Invasion by, [201] 1467, 1468

Canada—Canadian Volunteers, Res. [203] 727

Census, Comm. cl. 4, [203] 1404

Clerical Disabilities, Comm. cl. 7, [203] 1069

Ecclesiastical Courts, 2R. [200] 62; [203] 619

Ecclesiastical Patronage Transfer, Comm. [201] 569

**St. Juan, Island of**

Question, Viscount Milton; Answer, Mr. Otway Mar 4, [199] 1238

**ST. LAWRENCE, Viscount, *Galway Bo.***

Irish Land, 2R. [199] 1675; Comm. cl. 3, [200] 1472; [201] 286; cl. 14, 427; cl. 18, 582; add. cl. 1009; Consid. add. cl. 1427

Supply—Lord Lieutenant (Ireland)—Expenses, [203] 922

**SALISBURY, Marquess of—cont.**

- Elementary Education, Comm. *cl.* 7, [203]  
1166; *cl.* 14, 1182; *cl.* 73, 1187; *cl.* 94,  
Amendt. 1190, 1191; Preamble, 1193; Re-  
port, *cl.* 7, 1267; *cl.* 71, *ib.*  
Greece—Murder of British Subjects, [201] 1189  
High Court of Justice, Comm. [201] 1582;  
3R. Amendt. [202] 317, 319  
India—Financial Statement, [203] 1085  
Ireland—Crimes and Disorders, Repression of,  
[199] 1862  
202] Irish Land, 2R. 74, 88, 98, 249; Comm. *cl.* 1,  
749, 754; *cl.* 3, 762, 764, 769, 772, 776,  
864; Amendt. 882, 889; *cl.* 8, 994; *cl.* 15,  
Amendt. 1064; *cl.* 40, 1076; Report, *cl.* 3,  
1429, 1430, 1434, 1437; 3R. 1703, 1706  
203] Commons Amendts. *cl.* A, 335; *cl.* 8, 338  
Married Women's Property, Comm. *cl.* 4,  
[203] 399  
Matrimonial Causes, &c. 2R. [203] 1515  
Medical Act Amendment, 2R. [201] 261;  
Comm. *cl.* 17, [202] 1199; *cl.* 18, 1200; Re-  
port, 1351  
Medical Officers Superannuation, Comm.  
Amendt. [203] 478  
Parliament—Order of Debate, [201] 1935, 1939  
Public Business, [199] 415  
Peace Preservation (Ireland), 2R. [200] 821;  
Comm. *cl.* 11, 975; *cl.* 29, 980  
Prayer Book (Table of Lessons), Comm.  
Preamble, [203] 106  
Sequestration, 2R. [201] 803; 3R. [202] 953  
Settled Estates, 2R. [203] 611  
Tramways, 2R. [201] 1691  
University Tests, 2R. [203] 201, 202; Amendt.  
203, 210; Motion for a Select Committee, 228;  
Nomination of Committee, 627, 628, 629,  
630, 631  
War Office, Comm. *cl.* 2, [201] 459

**Salmon Acts Amendment Bill**

(*Mr. Malcolm, Mr. Hambro, Mr. Cameron*)

- c.* Ordered; read 1<sup>o</sup> \* *June* 13 [Bill 163]  
Read 2<sup>o</sup> \* *June* 16  
Committee \*; Report *June* 17  
Read 3<sup>o</sup> \* *June* 20  
*z.* Read 1<sup>o</sup> \* (*The Lord Abinger*) *June* 21  
Read 2<sup>o</sup> \* *July* 4 (No. 147)  
Committee \*; Report *July* 8  
Read 3<sup>o</sup> \* *July* 14  
Royal Assent *August* 1 [33 & 34 *Vict. c.* 33]

**Salmon Fisheries**

Select Committee appointed, "to inquire into the present state of the Laws affecting the Salmon Fisheries of England and Wales, and to report whether any and what amendments are required therein" (*Mr. Dodds*) *Feb* 17, [199] 499

And, on *Feb* 25, Committee nominated as follows:—*Mr. Dodds* (Chairman), Colonel Amcotts, *Mr. Assheton*, Colonel *Edwardes*, *Mr. Hambro*, *Mr. Herbert*, *Mr. Staveley Hill*, *Mr. Knatchbull-Hugessen*, *Mr. Knight*, *Mr. Liddell*, *Mr. William Lowther*, *Mr. Pease*, *Earl Percy*, *Mr. Richards*, and *Mr. Whitwell*  
Report of Select Comm. *July* 20—*P.P.* 368  
Question, *Lord Abinger*; Answer, *The Earl of Morley July* 8, [202] 1709

**Salmon Fisheries—cont.**

- Report of the Inspectors, Question, *Mr. H. A. Herbert*; Answer, *Mr. Bruce April* 28, [200] 1965  
Ninth Report—*P. P.* [79]  
Salmon Fishery in Devonshire—*Taw and Torridge Fishery District*, Question, *Sir Stafford Northcote*; Answer, *Mr. Bruce Mar* 14, [199] 1868  
Unseasonable Salmon, Question, *Mr. Malcolm*; Answer, *Mr. Bruce Feb* 21, [199] 586

**SALOMONS, Alderman Sir D., Greenwich**

- Brokers (City of London), 2R. [202] 740  
Game Laws Amendment, 2R. [200] 4  
Life Assurance Companies, Comm. *cl.* 20, [202] 1188  
National Debt Acts, Res. [199] 187  
Navy—Chatham, &c. Dockyards, Motion for a Committee, [201] 1723  
Supply—Mint—Coinage, [203] 374

**SALT, Mr. T., Stafford**

- Carriages lent, Duty on, [203] 784  
Chancery, Accountant General in, [202] 1712  
Ecclesiastical Law, Consolidation of the, [203] 1518  
Indian Army, Cadets in the, [202] 894  
New Zealand Loan, [201] 1058  
University Tests, Comm. *cl.* 5, [201] 1977

**SAMUDA, Mr. J. D'A., Tower Hamlets**

- Corporation of London, 2R. [201] 894  
Epping Forest, Motion for an Address, [199] 257  
Foreign Cattle, Market for, [199] 589  
Foreign Enlistment, 2R. [203] 1380  
Losses at Sea, Motion for a Commission, [201] 1101, 1104, 1106, 1114  
Mercantile Marine, Res. [203] 1106  
Merchant Shipping Code, 2R. [201] 1990  
Metropolis—Waterside Cattle Market, [200] 1543  
Metropolis—Thames Embankment, Motion for an Address, [202] 1767, 1769  
Municipal Boroughs (Metropolis), 2R. [201] 876  
Navy—Chatham, &c. Dockyards, Motion for a Committee, [201] 1729  
Navy Estimates—Admiralty Office, [201] 1656  
Dockyards, &c. [199] 1811, 1815  
Men and Boys, [199] 974  
Naval Stores, [201] 1742, 1743, 1749  
New Works, [201] 1764  
Scientific Departments, Navy, [199] 1801  
Steam Machinery, &c. [201] 1757  
Poor Relief (Metropolis), 2R. [200] 1772;  
Comm. *cl.* 1, 2135

**SAMUELSON, Mr. B., Banbury**

- Education Department, [203] 874  
Elementary Education, Comm. *cl.* 10, Amendt. [202] 1225, 1229  
Factories Acts, [199] 997  
France and Prussia—Alleged Draft Treaty, [203] 955  
Irish Land, Comm. *cl.* 1, Amendt. [200] 760, 771, 1015, 1026; *cl.* 2, 1043, 1055; *cl.* 3, 1465, 1471; Amendt. 1523, 2002; Lords Amendts. Amendt. [203] 122, 132  
Navy—"Captain" and "Monarch," H.M.S., [203] 1203  
Navy Estimates—Naval Stores, [201] 1746  
South Kensington Museum, [199] 1363



**SAMUELSON, Mr. H. B.,** *Cheltenham*  
Elementary Education, 2R. [199] 2003  
Irish Land, 2R. [199] 1528  
Public Schools, Statutes of the, [199] 1143

**SANDON, Viscount,** *Liverpool*  
Ballot, 2R. [200] 58  
Colonies, Motion for a Committee, [200] 1890, 1891  
Consular Jurisdiction, [199] 771  
Conventual and Monastic Institutions, Motion for a Committee, [200] 2030  
Elementary Education, Leave, [199] 480 ; Comm. [202] 294, 835 ; cl. 19, Amendt. 1317, 1320 ; cl. 65, [203] 63 ; add. cl. 260 ; Schedule II, 304  
Gambia—Settlement of, Address for Papers, [203] 356  
Parochial Councils, Leave, [202] 1121, 1146  
Stamps upon Leases, [199] 839

**Sanitary Act (Dublin) Amendment Bill**  
(*Mr. Stansfeld, Mr. Solicitor General for Ireland*)

c. Ordered ; read 1<sup>o</sup> \* July 29 [Bill 254]  
Read 2<sup>o</sup> \* August 1  
Committee ; Report, after short debate August 4, [203] 1567  
Considered \* August 5  
Read 3<sup>o</sup> \* August 6  
l. Read 1<sup>st</sup> \* (*Lord Dufferin*) August 6 (No. 303)  
Read 2<sup>nd</sup> \* ; Committee negatived August 8  
Read 3<sup>rd</sup> \* August 9  
Royal Assent August 10 [33 & 34 Vict. c. 106]

**Sanitary Act (1866) Amendment Bill**  
(*Dr. Brewer, Mr. William Henry Smith*)

c. Ordered ; read 1<sup>o</sup> \* June 30 [Bill 189]  
Read 2<sup>o</sup> \* July 14  
Committee \*—R.F. July 21  
Committee \* ; Report July 22  
Considered \* July 25  
Read 3<sup>o</sup> \* July 27  
l. Read 1<sup>st</sup> \* (*The Earl of Morley*) July 28  
Read 2<sup>nd</sup> \* August 1 (No. 253)  
Committee \* ; Report August 2  
Read 3<sup>rd</sup> \* August 4  
Royal Assent August 9 [33 & 34 Vict. c. 53]

**SARTORIS, Mr. E. J.,** *Carmarthenshire*  
University Tests, 2R. [201] 1219 ; [203] 876

*Sat First*

Feb 8—The Earl of Derby, after the death of his Father  
Lord Dynevor, after the death of his Cousin  
Feb 25—The Viscount Hutchinson, after the death of his Father  
Mar 18—The Lord Boston, after the death of his Father  
May 5—The Marquess of Westminster, after the death of his Father  
May 12—The Earl Howe, after the death of his Father  
June 14—The Lord Zouche, after the death of his Mother  
The Lord Monteagle of Brandon, after the death of his Grandfather  
The Lord Hartismere, after the death of his Father

[cont.]

*Sat First—cont.*

June 20—The Lord Auckland, after the death of his Father  
June 23—The Lord Wigan (Earl of Crawford and Balcarres), after the death of his Father  
July 1—The Lord Hawke, after the death of his Cousin  
July 11—The Earl of Clarendon, after the death of his Father  
July 14—The Lord Beaumont, after the death of his Father  
August 4—The Lord Ranfurly, after the death of his Grandfather

Feb 8—Samuel Bishop of Winchester  
Arthur Charles Bishop of Bath and Wells  
Harvey Bishop of Carlisle  
Frederick Bishop of Exeter  
John Fielder Bishop of Oxford  
George Bishop of Salisbury  
Feb 10—Christopher Bishop of Lincoln  
Mar 28—James Bishop of Manchester  
April 5—Marcus Gervais Archbishop of Armagh  
May 12—Richard Bishop of Chichester  
June 16—Robert Bishop of Down, Connor, &c.

*Representative Peers for Ireland*  
(Writs and Returns.)

Feb 25—The Lord Oramore and Browne, v. Lord Castlemaine, deceased  
April 7—The Earl of Lanesborough, v. Lord Crofton, deceased

*Representative Peer for Scotland*  
(Writ and Return.)

August 5—The Earl of Strathmore, v. The Earl of Haddington, deceased

*New Peers Introduced*

Feb 8—Reginald Windsor Sackville West, Baron Buckhurst (by special limitation)  
James Earl of Southesk, created Baron Balnharard of Farnell in the county of Forfar  
William Earl of Listowel, created Baron Hare of Connamore in the county of Cork of the United Kingdom  
The Right Honourable Edward George Fitzalan Howard, created Baron Howard of Glossop in the county of Derby  
The Right Honourable John Wilson Fitz-Patrick, created Baron Castle-town of Upper Ossory in Queen's County  
Thomas James Agar Robartes, esquire, created Baron Robartes of Lanhydrock and of Truro in the county of Cornwall  
Fulke Southwell Greville - Nugent, esquire, created Baron Greville of Clonyn in the county of Westmeath  
April 28—George Carr Glyn, esquire, Baron Wolverton of Wolverton in the county of Buckingham  
June 13—Charles William Fitzgerald, esquire, (commonly called Marquess of Kildare), created Baron Kildare of Kildare in the county of Kildare

[cont.]

*New Peers Introduced*—cont.

- June 21—Right Honourable Thomas O'Hagan, created Baron O'Hagan, of Tullahogue in the county of Tyrone  
 June 23—Sir John Emerich Edward Dalberg-Acton, Baronet, created Baron Acton of Aldenham in the county of Salop

SAUNDERSON, Mr. E. J., *Cavan Co.*

- Ireland—D'Arcy Irvine, Mr., [201] 813  
 Irish Land, Comm. cl. 3, [200] 1315; *add. cl.* [201] 1003  
 Party Processions (Ireland), 2R. [200] 960  
 Peace Preservation (Ireland), 2R. [200] 341, 364

**Savings Banks Bill**

(*Mr. Chancellor of the Exchequer, Mr. Stansfeld*)

- c. Motion for Leave (*Mr. Chancellor of the Exchequer*) Feb 11, [199] 189; Bill ordered; read 1<sup>st</sup> \* [Bill 15]  
 Question, Mr. Assheton Cross; Answer, The Chancellor of the Exchequer Feb 18, 532; Mar 10, 1630; Question, Mr. Assheton Cross; Answer, Mr. Stansfeld Mar 28, [200] 725  
 Bill withdrawn July 18, [203] 464

*Savings Banks—Excess of Interest*

- Question, Sir John Lubbock; Answer, The Chancellor of the Exchequer May 31, [201] 1701

*Savings Banks Securities*

- Question, Mr. Scourfield; Answer, The Chancellor of the Exchequer Feb 18, [199] 531

SCLATER-BOOTH, Mr. G., *Hampshire, N.*

- Army—Deaths from Sunstroke on the March, [202] 1000  
 Assessed Duty on Male Servants, [203] 350  
 Ballot, Leave, [199] 280  
 Burials, Comm. cl. 1, Amendt. [203] 193, 194  
 Conventual and Monastic Institutions, Motion for a Committee, [200] 2030; [201] 83  
 Customs and Inland Revenue, 2R. [201] 1627; Comm. cl. 11, 1805, 1806  
 Edmunds, Mr. L., Motion for a Paper, [203] 512  
 Elementary Education, 2R. [199] 1953; Comm. Schedule II, [203] 313  
 France and Prussia, [203] 348  
 Gun Licences, 2R. [201] 1681; Comm. cl. 3, [202] 853; 3R. [203] 767  
 Income Tax Assessment, &c. 2R. [199] 1731  
 India—Mason, Mr., Case of, Res. [203] 796  
 Ireland—Shannon Navigation [Grant], Comm. [203] 1039, 1044, 1046  
 Irish Land, Comm. cl. 39, [201] 744; cl. 41, Amendt. 753  
 Life Assurance Companies, Comm. cl. 10, [202] 1182  
 National Debt Acts, Res. [199] 186  
 Navy Estimates—Half Pay, [203] 1221  
 Miscellaneous Services, [201] 1679  
 Pedlars Certificates, Comm. [203] 700  
 Poor Relief (Metropolis), Leave, [199] 577  
 Public Schools, Motion for an Address, [201] 189  
 Sheriffs (Scotland) Act Amendment, Comm. cl. 5, [203] 471

SCLATER-BOOTH, Mr. G.—cont.

- Supply—Civil Service Estimates, [199] 1570, 1574, 1575; [203] 1584  
 Colonies, Grants in Aid, [203] 1245  
 Copyhold, Inclosure, and Tithe Commission, [203] 371  
 Customs Department, [203] 1248, 1250  
 Education, Public, [203] 1133  
 Embassies and Missions Abroad, [203] 1225  
 Grants for Civil Services, [199] 1955  
 Harbours under the Board of Trade, [203] 1473, 1474  
 Inland Revenue Department, [203] 1257  
 Learned Societies, [203] 1480  
 Natural History Museum, [203] 1477  
 New Courts of Justice, Motion for reporting Progress, [203] 1466  
 Offices of the House of Commons, [202] 386, 389  
 Post Office Packet Service, [203] 1253  
 Science and Art Department, [203] 1472  
 Superannuation, &c. [203] 1479  
 University of London, [203] 1141, 1143  
 Woods, Forests, &c. [203] 678  
 Tramways, Leave, [199] 1085  
 Turnpike Roads, Res. [200] 863  
 War Office, Comm. cl. 3, [199] 858  
 Water Supply on Sunday (Metropolis), Leave, [200] 1371  
 Ways and Means—Financial Statement, [200] 1677

*Scotland*

- Civil Departments*, Question, Observations, The Earl of Airlie; Answer, The Duke of Argyll May 20, [201] 1034  
 Report of Commissioners—P. P. [64]  
*Court of Session*, Question, Mr. Craufurd; Answer, Mr. Gladstone Mar 11, [199] 1737

*Education*

- Industrial School, Glasgow*—Case of Alexander Gillespie, Question, Mr. Graham; Answer, Mr. Bruce Mar 25, [200] 639  
*Parochial Schools*, Question, Dr. Lyon Playfair; Answer, Mr. Gladstone Feb 28, [199] 879  
 Minute of Comm. of Council—P. P. 335  
*Schools in Scotland*, Question, Sir Edward Colebrooke; Answer, Mr. W. E. Forster July 25, [203] 875  
*Faggot Votes*, Question, Mr. Craufurd; Answer, The Lord Advocate Feb 25, [199] 797  
*Law of Hypothec*, Question, Mr. Carnegie; Answer, The Lord Advocate Mar 28, [200] 723  
*Lunacy Commission*, Question, Mr. Craufurd; Answer, Mr. Bruce May 15, [201] 279  
 Twelfth Report—P. P. [88]  
*Police Force—Superannuation Allowances*, Question, Sir John Ogilvy; Answer, Mr. Bruce Mar 8, [199] 1480  
*Police Force*, Twelfth Report—P. P. 242  
*Police System of Scotland*, Question, The Earl of Minto; Answer, The Earl of Morley Mar 21, [200] 309  
*Poor Law*—See title *Poor Law (Scotland)*  
*Procurators Fiscal*, Question, Mr. Fordyce; Answer, The Lord Advocate Mar 17, [200] 66  
 Mid-Lothian . . . . . P. P. 216  
 Fife . . . . . P. P. 386  
*Public Offices Commission (Scotland)*, Question, Mr. Finnie; Answer, Mr. Gladstone Feb 17, [199] 431



SCOTLAND—cont.

*Roads and Bridges*, Question, Mr. Stuart Parker; Answer, The Lord Advocate *April* 12, [200] 1703  
*Roads Bill (Scotland)*, Question, Mr. Dyce Nicol; Answer, The Lord Advocate *Feb* 24, [199] 766  
*Scotch Bills*, Question, Sir David Wedderburn; Answer, The Lord Advocate *July* 4, [202] 1360  
*Sheriffs*, Question, Mr. Miller; Answer, Mr. Bruce *Mar* 15, [199] 1961  
*Sheriffships*, Question, Sir Robert Anstruther; Answer, Mr. Bruce *July* 4, [202] 1360  
*Wick and Anstruther Harbours*, Question, Sir Robert Anstruther; Answer, Mr. Shaw Lefevre *Feb* 21, [199] 587

SCOTT, Lord H. J. M. D., *Hampshire*, S. Post Office and the Navy, [201] 742  
 Letters of Officers on Foreign Stations, [201] 1191

SCOURFIELD, Mr. J. H., *Pembrokeshire*  
*Army Enlistment*, 2R. [201] 790; Comm. [203] 449; Consid. 697  
*Bible (Authorized Version)*, Motion for an Address, [202] 117  
*Children, Employment of, in Agriculture*, [201] 1558  
*Commutation of Sentences—Case of Jacob Spinasa*, [200] 2103  
*Conventual and Monastic Institutions*, Motion for a Committee, [200] 1596, 2026  
*Customs and Inland Revenue*, Comm. *add. cl.* [201] 1818  
*Elementary Education*, Comm. *cl. 45*, [202] 1632; Schedule II, [203] 276  
*India—Civil Service—Mr. Borooh*, [203] 252  
*India—Mason, Mr., Case of, Res.* [203] 793, 801  
*Irish Land*, Comm. *cl. 14*, [201] 428  
*Local Taxation*, Motion for a Committee, [199] 654  
*Navy—Rook in Pembroke Reach*, [200] 320  
*Parliament—Address in Answer to the Speech*, [199] 109  
*Representation of the People Acts Amendment*, Leave, [199] 267  
*Savings Banks Securities*, [199] 531  
*Turnpike Roads*, Res. [200] 870  
*Wales—Established Church*, Res. [201] 1303  
*Ways and Means—Financial Statement*, [200] 1674  
*Women's Disabilities*, 2R. Previous Question moved, [201] 210, 220

Sea, Losses at

Amendt. on Committee of Supply *May* 20, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to issue a Commission to inquire into the causes of the great loss of life and property at sea during the last few years, and to consider whether any and what changes can be made in existing Laws and Regulations with respect to collisions, overlading, stowage of cargo, and other matters, with the view of giving increased safety to Passengers and Merchant Ships" (*Sir John Pakington*), [201]

[cont.]

Sea, Losses at—cont.

1094; Question proposed, "That the words, &c.;" after debate, Moved, "That the debate be now adjourned" (*Mr. Gourley*); after further debate, Motion withdrawn  
 Correspondence—P. P. 152

SEELY, Mr. C., *Lincoln City*  
 Newport Election, Riot at, [202] 1354

Select Vestries

l. Bill, pro formâ, read 1<sup>a</sup> \* *Feb* 8

SELWIN-IBBETSON, Sir H. J., *Essex*, W.  
*Capital Sentences (Court of Appeal)*, 2R. [202] 735  
*Cattle Disease*, [202] 1618  
*Cattle, Importation of*, [202] 493  
*Cattle Market, Foreign*, [199] 895  
*Elementary Education*, 2R. 246  
 202] Comm. *cl. 7*, 1097, 1105; *cl. 10*, 1232; *cl. 17*, 1313; *cl. 22*, 1322  
 203] Schedule II, Amendt. 312, 315  
*Gun Licences*, 2R. [201] 1681; Comm. *cl. 3*, Amendt. [202] 854; Consid. Amendt. [203] 698; 3R. 765  
*Irish Land*, Comm. *cl. 3*, Amendt. [201] 27, 28  
*Metropolis—Waterside Cattle Market*, [200] 1546  
*Navy—Chatham, &c. Dockyards*, Motion for a Committee, [201] 1721  
*Parliament—Progress of Public Business*, [200] 1705; [202] 1368  
*Parliament—Sittings of the House*, Res. [202] 709  
*Pilotage*, Comm. Motion for Adjournment, [202] 596, 599  
*Railway Companies*, Motion for a Committee, [200] 1911  
*Suburban Commons*, 2R. [201] 567  
*Supply—Privy Council Office*, [202] 405  
*Wine and Beerhouse Act Amendment*, Leave, [200] 1493; 2R. 1809

Sequestration Bill [H.L.]

(*The Lord Bishop of Winchester*)

l. Presented; read 1<sup>a</sup> \* *May* 3 (No. 81)  
 After debate, Bill read 2<sup>a</sup>, and referred to a Select Committee *May* 17, [201] 791  
 And, on *May* 19, the Lords following were named of the Committee:—L. Abp. York, Ld. Privy Seal, D. Marlborough, D. Cleveland, M. Salisbury, E. Shaftesbury, E. Grey, E. Harrowby, E. Beauchamp, L. Bp. London, L. Bp. Winchester, L. Bp. Gloucester and Bristol, L. Stanley of Alderley, L. Chelmsford, and L. Westbury; *May* 20, The Lord Bishop of Ely added in the place of Lord Westbury  
 Report of Select Comm. *May* 27 (Nos. 115, 116) Committee \* *May* 30  
 Report *June* 17, 320 (No. 145)  
 Moved, "That the Bill be now read 3<sup>a</sup> "  
*June* 27, [202] 953; after short debate, Debate adjourned  
 Debate resumed *July* 4, 1344; after short debate, on Question, "That the Bill be read 3<sup>a</sup>;" resolved in the affirmative; Bill read 3<sup>a</sup>  
 c. Read 1<sup>a</sup> \* *July* 6 [Bill 202]  
 Bill withdrawn \* *July* 25

*Servia, Affairs of*  
Question, Mr. W. H. Gregory; Answer, Mr.  
Otway Feb 17, [199] 429

### Settled Estates Bill

(Mr. Stapleton, Colonel Stepany, Mr. Stacpoole)

- c. Ordered \* April 26  
Read 1<sup>o</sup> \* April 27 [Bill 110]  
Moved, "That the Bill be now read 2<sup>o</sup>"  
June 22, [202] 740; after short debate, Debate  
adjourned  
Read 2<sup>o</sup> \* June 28  
Committee \*; Report July 4  
Considered \*; read 3<sup>o</sup> July 5  
l. Read 1<sup>a</sup> \* (The Earl of Airlie) July 7 (No. 191)  
Bill read 2<sup>a</sup>, after short debate July 21, [203]  
608  
Committee July 26, 929 (No. 245)  
Report \* July 28 (No. 255)  
Read 3<sup>a</sup> \* July 29  
Royal Assent August 9 [33 & 34 Vict. c. 56]

### Sewage Utilization Supplemental Bill

(Mr. Knatchbull-Hugessen, Mr. Secretary Bruce)

- c. Ordered \* July 5  
Read 1<sup>o</sup> \* July 6 [Bill 201]  
Read 2<sup>o</sup> \* July 18  
Committee \*; Report July 19  
Read 3<sup>o</sup> \* July 20  
l. Read 1<sup>a</sup> \* (The Earl of Morley) July 21  
Read 2<sup>a</sup> \* August 1 (No. 230)  
Committee \*; Report August 2  
Read 3<sup>a</sup> \* August 4  
Royal Assent August 9 [33 & 34 Vict. c. clvi.]

SEYMOUR, Captain, H. De G., *Antrim*  
Co.

Elementary Education, Comm. Schedule II,  
Motion for reporting Progress, [203] 316

SEYMOUR, Mr. A., *Salisbury*

Census, 2R. [203] 818  
National Gallery, Motion for Correspondence,  
[201] 1088  
Parliament—Palace of Westminster—The  
Central Hall, [200] 2059; [201] 394  
Spain—Choice of a King, [203] 638  
Turkey—Fire at Constantinople, [202] 1622

SIKES, Earl of

Absconding Debtors, 2R. [203] 930  
Belgium—Neutrality of, [203] 1764  
Ecclesiastical Business, &c., Motion for Re-  
turns, [200] 716  
Ecclesiastical Courts, 2R. [200] 64; [202]  
1428; [203] 98, 614, 621  
203] Elementary Education, 2R. 843, 845;  
Comm. cl. 7, 1168, 1173; cl. 8, Amendt.  
1176, 1177; cl. 73, Amendt. 1187; Sched-  
ule II, 1192  
Greece—Murder of British Subjects, [201]  
1190

Married Women's Property, 2R. [202] 609;  
Comm. [203] 397  
Prayer Book (Lectionary), 2R. [202] 1604; now  
Prayer Book (Table of Lessons), Comm.  
cl. 1, Amendt. [203] 90; Preamble, Amendt.  
101; Report, 238  
Ritual Commission, [201] 732

*Shale Mines—Mines Regulation Bill*

Question, Sir Robert Anstruther; Answer, Mr.  
Bruce April 28, [200] 1966

*Shannon and Suck, The*

Motion for "Copy of a letter from Mr. Stans-  
feld to the Marquess of Clanricarde, dated  
2d [of February, relating to the drainage of  
the Rivers Shannon and Suck, and its en-  
closure" (The Marquess of Clanricarde)  
Feb 28, [199] 873; after short debate, Mo-  
tion agreed Return . . . P. P. 34

### Shannon Navigation Bill

(Mr. Stansfeld, Mr. Chichester Fortescue)

- c. Ordered; read 1<sup>o</sup> \* July 4 [Bill 192]  
Read 2<sup>o</sup> \* July 18  
Referred to Select Committee July 22  
And, on July 25, Committee nominated by the  
Committee of Selection:—Viscount Bury  
(Chairman), Mr. William Gregory, Earl  
Percy, Mr. Selator-Booth, and Mr. Stansfeld  
Report \* July 26 [Bill 240]  
Bill withdrawn \* August 1

SHAW, Mr. R., *Burnley*

Diplomatic and Consular Services, Motion for  
a Committee, [199] 320; Res. 545  
Gun Licences, 2R. [201] 1682  
Navy—Letters to the Public Journals, [200]  
1426  
Queen Anne's Bounty (Superannuation), 2R.  
[203] 1023  
Supply—Embassies and Missions Abroad, [203]  
1225  
Foreign Office, [202] 397  
Grants for Civil Services, [199] 1955  
Miscellaneous Expenses, Amendt. [199]  
1578, 1579  
Privy Council Office, [202] 398  
Superannuation, &c. [203] 1480  
Ways and Means, Report, Res. 7, [200] 1724

SHAW, Mr. W., *Bandon*

Irish Land, Comm. cl. 3, Amendt. [200] 1059,  
1074, 1078; cl. 17, [201] 580; cl. 18,  
Amendt. 582  
Life Assurance Companies, 2R. [199] 740;  
Comm. cl. 7, Amendt. [202] 1177; cl. 10,  
Amendt. 1181; cl. 11, 1182, 1183; cl. 12,  
Amendt. 1184

SHERIDAN, Mr. H. B., *Dudley*

Civil Service Employés, [203] 1691  
Germany—British Subjects in—The War, [203]  
1101  
Life Assurance Companies, Comm. cl. 3, [202]  
1171, 1172; cl. 7, 1177; cl. 10, 1181; cl. 12,  
1185; cl. 13, 1187; cl. 20, Amendt. 1188  
Mexico—State of, [202] 1205

Sheriffs (Scotland) Act (1853) Amend-  
ment, &c. Bill

(The Lord Advocate, Mr. Adam)

- c. Ordered; read 1<sup>o</sup> \* July 4 [Bill 191]  
Read 2<sup>o</sup> \* July 11  
Committee; Report July 18, [203] 466  
Committee \* (on re-comm.); Report; Consi-  
dered July 21  
Read 3<sup>o</sup> \* July 22

[CONT.]



*Sheriffs (Scotland) Act (1853) Amendment, &c.*  
*Bill—cont.*

- 203] *l.* Read 1<sup>st</sup>\* (*The Lord Chancellor*) July 25  
 (No. 243)  
*. Bill read 2<sup>nd</sup>, after short debate* July 26, 947  
*. Committee* July 28, 1070  
*Report\** July 29 (No. 257)  
*Read 3<sup>rd</sup>\* August 1*  
*. c. Lords' Amendments considered; several agreed*  
*to; One disagreed to* August 4, 1563  
*Committee appointed, "To draw up Reasons to*  
*be assigned to the Lords for disagreeing to*  
*the Amendt. to which this House hath dis-*  
*agreed"*  
*Reasons for disagreeing to Lords Amendt. re-*  
*ported, and agreed to* *l.* (No. 294)  
*l.* Royal Assent August 9 [33 & 34 *Vict. c. 86*]

SHERLOCK, Mr. D., *King's Co.*

- Bank of Ireland—Payment of Dividends, [200]  
 1283  
 Conventual and Monastic Institutions, Motion  
 for a Committee, [200] 1596; [201] 534  
 Edmunds, Mr. L., Motion for a Paper, [203]  
 528  
 Gough, Viscount, Statue of, Motion for an  
 Address, [203] 775  
 Ireland—Magisterial Appointments, Motion for  
 Papers, [200] 2092  
 200] Irish Land, Comm. *cl.* 2, 1041; *cl.* 3, 1060,  
 1993  
 201] *cl.* 3, 28; *cl.* 4, 303; *cl.* 5, 372; *cl.* 11, 412;  
*cl.* 18, 582, 585; *cl.* 20, 596; *cl.* 37, 606;  
*. Consid. add. cl.* 1437, 1438  
 Peace Preservation (Ireland), 2R. [200] 473  
 Supply—Lord Lieutenant (Ireland)—Expenses,  
 [203] 922

SHERIFF, Mr. A. C., *Worcester (City)*  
 Metropolitan District Railway, [200] 1603

Shipping Dues Exemption Act (1867)  
 Amendment Bill

- (*Mr. Russell Gurney, Mr. Cowper-Temple*)  
*c.* Resolution in Committee; Resolution agreed  
 to, and reported; Bill ordered; read 1<sup>st</sup>\*  
 July 4 [Bill 194]  
 Read 2<sup>nd</sup>\* July 6  
 Committee\*; Report; read 3<sup>rd</sup> July 20  
*l.* Read 1<sup>st</sup>\* (*The Earl of Morley*) July 21  
 Read 2<sup>nd</sup>\* August 1 (No. 233)  
 Committee\*; Report August 2  
 Read 3<sup>rd</sup>\* August 4  
 Royal Assent August 9 [33 & 34 *Vict. c. 50*]

Siam and Straits Settlements Jurisdic-  
 tion Bill [H.L.] (*The Earl of Kimberley*)

- l.* Presented; read 1<sup>st</sup>\* July 11 (No. 197)  
 Read 2<sup>nd</sup>\* July 14  
 Committee\*; Report July 15  
 Read 3<sup>rd</sup>\* July 18  
*c.* Read 1<sup>st</sup>\* July 20 [Bill 232]  
 Read 2<sup>nd</sup>\* July 25  
 Committee\*; Report August 1  
 Read 3<sup>rd</sup>\* August 2  
*l.* Royal Assent August 9 [33 & 34 *Vict. c. 55*]

*Siam, Consular Jurisdiction in*

Question, Sir Charles W. Dilke; Answer, Mr.  
 Monsell August 4, [203] 1524

*Sierra Leone—Mr. Justice Huggins*

Question, Mr. Moore; Answer, Mr. Monsell  
 April 11, [200] 1606  
 Colonial Judges Removal—Corre-  
 spondence . . . . . [139]

SIMEON, Sir J., *Isle of Wight*

Conventual and Monastic Institutions, Motion  
 for a Committee, [200] 1593

SIMON, Mr. Serjeant J., *Dewsbury*

Elections — Expenses of Returning Officers,  
 Res. [199] 178, 184  
 Elementary Education, Comm. *cl.* 5, [202] 1012;  
*cl.* 7, Amendt. 1031; *cl.* 10, 1229; *cl.* 65,  
 [203] 43; Amendt. 59  
 Ireland—Tipperary Election, Jeremiah O'Dono-  
 van Rossa, [199] 150  
 Jamaica—Seizure of the Schooner "La Have,"  
 [203] 1407  
 Supply—County Courts, [203] 994

SIMONDS, Mr. W. B., *Winchester*

Army—Troops at Aldershot, [199] 995

SINCLAIR, Sir J. G. T., *Caithness-shire*

France and Holland, [203] 952  
 Heligoland Pilots, [203] 952  
 Irish Church, Comm. *cl.* 12, [201] 417; *cl.* 14,  
 429; Consid. *add. cl.* 1421  
 Scotland—Mails between Golspie and Thurso,  
 [201] 1407

Sites for Places of Worship Bill

(*Mr. Osborne Morgan, Mr. Bowyerie, Mr. Hinde*  
*Palmer, Mr. Henry Richard*)

- c.* Motion for Leave (*Mr. Osborne Morgan*) Feb 10,  
 [199] 162; Bill ordered; read 1<sup>st</sup>\* [Bill 10]  
 Moved, "That the Bill be now read 2<sup>nd</sup>"  
 April 6, [200] 1382  
 Amendt. to leave out "now," and add "upon  
 this day six months" (*Mr. George Gregory*);  
 Question proposed, "That 'now,' &c.;" after  
 debate, Amendt. withdrawn; main Question  
 put, and agreed to; Bill read 2<sup>nd</sup>  
 Order for Committee discharged; Bill with-  
 drawn July 13, [203] 168

Slave Trade

Convention for Suppressing P. P. [193]  
 Liberated Slaves, Question, Mr. Kinnaird; An-  
 swer, Mr. Otway August 10, [203] 1770  
 New South Wales — Polynesian Labourers,  
 Question, Admiral Erskine; Answer, Mr.  
 Childers Mar 7, [199] 1371  
 Zanzibar, Treaty with, Question, Mr. Gilpin;  
 Answer, Mr. Otway Feb 10, [199] 119

South Sea Islanders

Deportation of Natives, Question, Mr. P. A.  
 Taylor; Answer, Mr. Monsell Feb 18,  
 [199] 527; Question, Mr. P. A. Taylor;  
 Answer, Mr. Childers Feb 28, 876 — *The*  
*"Daphne,"* Question, Mr. Kinnaird; An-  
 swer, Mr. Childers April 7, [200] 1427 — *To*  
*New South Wales,* Question, Admiral Er-  
 skine; Answer, Mr. Monsell Mar 7, [199]  
 1371

# Sligo and Cashel Disfranchisement Bill

(Mr. Solicitor General for Ireland, Mr.

Chichester Fortescue)

c. Ordered; read 1<sup>st</sup> *May* 23 [Bill 139]

Moved, "That the Bill be now read 2<sup>o</sup>"  
*June* 16, [202] 309

Amendt. to leave out from "That" and add  
"inasmuch as the evidence taken before the  
Royal Commission establishes the fact that  
corrupt practices did not extensively prevail  
at the last Election for Sligo Borough, only  
14 voters out of a constituency of 520 hav-  
ing, after a most protracted inquiry, been  
proved guilty of any such practices, the  
Report of the Commissioners, so far as re-  
gards the last Election, was not justified;  
and, under these circumstances, the House  
considers the disfranchisement of the Borough  
should not take place" (*Colonel French*);  
Question proposed, "That the words, &c.;"  
after short debate, A. 158, N. 23; M. 135;  
main Question put, and agreed to; Bill  
read 2<sup>o</sup>

Committee\*; Report *June* 17

Read 3<sup>o</sup> *June* 27

l. Read 1<sup>st</sup> (*The Lord Dufferin*) *June* 28

Order of the Day for the Second Reading read;  
after short debate, Petition presented, read,  
and ordered to lie on the Table; Bill read 2<sup>a</sup>  
*July* 7, 1596 (No. 167)

Moved, "That leave be given to the said Peti-  
tioners to be then heard as prayed" (*The*  
*Earl of Granard*); after further short de-  
bate, on Question, resolved in the negative  
Committee\* *July* 11 (No. 201)

Read 3<sup>a</sup> *July* 14

Royal Assent *August* 1 [33 & 34 Vict. c. 38]

## Sligo Borough Writ

Moved, "That Mr. Speaker do issue his War-  
rant to the Clerk of the Crown in Ireland  
to make out a new Writ for the electing  
of a Burgess to serve in this present Parli-  
ament for the Borough of Sligo, in the  
room of Major Knox, whose Election has  
been determined to be void" (*Colonel*  
*French*) *May* 10, [201] 524; after short debate,  
Motion withdrawn

Sligo Election, Report and Evidence—P. P. [48]

## SMITH, Mr. A., Hertfordshire

India—Hamilton, Captain, Case of, [199] 995

## SMITH, Mr. J. B., Stockport

Coinage, International, [199] 1371

East India Revenue Accounts, Comm. [203]  
1652

India—Great Indian Peninsula Railway Com-  
pany, [202] 1624

Mint, Site of the, [199] 1626

Post Office—Weight of Letters, [202] 1357

Weights and Means—Financial Statement, [200]  
1664, 1671

Weights and Measures, [199] 692;—Metric,  
[203] 248

## SMITH, Mr. R., Derbyshire, S.

Habitual Criminals Act, [201] 628 ]

## SMITH, Mr. T. E., Tynemouth, &c.

Coal for the Navy, [203] 1198, 1199

Losses at Sea, Motion for a Commission, [201]  
1120

Mercantile Marine, Res. [203] 1105

Merchant Shipping Code, 2R. [201] 1999

Pilotage, 2R. [199] 773

Ships "Bombay" and "Oneida," Res. [202]  
1536

## SMITH, Mr. W. H., Westminster

Chelsea Bridge, Res. [199] 711, 1633

202] Elementary Education, Comm. 300, 904;

. cl. 7, 1033, 1045; cl. 9, 1222; cl. 17, 1317;

. cl. 27, 1420; cl. 29, 1478; cl. 62, 1715

203] cl. 66, 65; add. cl. 95

Harbours of the Colonies and India, [203]  
1690

Metropolis—Courts of Justice, New, [202] 1006

Kensington Gardens, &c. [201] 626

Metropolis—Thames Embankment, [200] 1602;

Motion for an Address, [202] 1752, 1770;—

Approaches to the, [203] 1686

Municipal Boroughs (Metropolis), 2R. [201] 870

Newspaper Postage to France and Australia,  
[200] 991

Poor Law Expenditure, [200] 725

Poor Relief (Metropolis), 2R. [200] 1777

Prayer Book, The, [203] 1693

Supply—Education, Public, [203] 1131

Police Courts (London and Sheerness),  
[203] 999

Tramways, Leave, [199] 1037

Tramways in London, [199] 432

Vagrants, Police Regulation of, Res. [201] 652

Ways and Means—Financial Statement, [200]  
1676

## SOLICITOR GENERAL, The (Sir J. D.

COLERIDGE), Exeter

Army—Kirwee Prize Money, Motion for an  
Address, [201] 1547

Attorneys and Solicitors Remuneration, Comm.

cl. 7, [200] 1423

Benefices, 2R. [201] 542

Beverley Election Proceedings, [200] 326, 328

Bribery, Prosecution for, [199] 767

Committal of a Foreman of a Jury, [199] 1002

Conventual and Monastic Institutions, Motion  
for a Committee, [200] 895

Corrupt Practices, Motion for a Committee,  
[200] 1701

County Court Judge of Norfolk, [200] 1174

Edmunds, Mr. L., Motion for a Paper, [203] 531

Elections—Expenses of Returning Officers,  
Res. [199] 182

Epping Forest, Motion for an Address, [199] 259

Foreign Enlistment, Comm. cl. 9, [203] 1510;  
cl. 21, 1512

Harrow and Winchester Schools, Res. [203] 980

Ireland—Tipperary Election, Jeremiah O'Dono-  
van Rossa, [199] 136

Keble College, [201] 1942

Lowry, Mr., Appointment of, [201] 1769

Married Women's Property, 2R. [201] 892

Naturalization, Comm. cl. 2, [200] 1735, 1736;  
cl. 4, Amendt. 1737; cl. 5, 1738; cl. 7,

1739; cl. 10, 1741; Consid. 2024, 2025

Public Schools, Motion for an Address, [201] 176

Public Schools Act Amendment, Comm. [203]  
1048, 1049



SOLICITOR GENERAL, The—*cont.*

- Religious Tests, Leave, [200] 1810  
 Revision of the Statutes, [199] 763  
 Supply—Patent Office, [203] 377  
 201] University Tests, 2R. 1192, 1237, 1248;  
 . Comm. cl. 2, 1953; cl. 3, 1954, 1964, 1965,  
 . 1967; Proviso 1, 1970; Amendt. 1973;  
 . cl. 5, 1977, 1978, 1979; Schedule, 1980  
 202] Consid. 1377, 1385, 1389, 1394; cl. 3,  
 Amendt. 1396  
 . Winchester and Harrow Schools, [203] 34

SOMERSET, Duke of

- Navy—Admiralty—Naval Retirement, Motion  
 for Papers, [203] 318  
 Sequestration, 3R. [202] 954  
 Sunday Trading, 2R. [199] 680  
 University Tests, Motion for a Select Committee, [203] 230

South Kensington Museum

- Question, Mr. W. H. Gregory; Answer, Mr.  
 Stansfeld Feb 24, [199] 764; Question, Mr.  
 B. Samuelson; Answer, Mr. W. E. Forster  
 Mar 7, 1863; Question, Earl Cadogan; Answer,  
 Earl De Grey and Ripon May 13, [201] 624  
 Papers relating to . . . P. P. 218, 400  
 South Kensington, New Buildings at, Question,  
 Sir John Pakington; Answer, Mr. Gladstone  
 May 10, [201] 463

Spain

- Case of the "*Mary Lowell*," Question, Mr.  
 Bentinck; Answer, Mr. Otway Mar 14, [199] 1867  
 Case of the "*Tornado*," Question, Mr. Bentinck;  
 Answer, Mr. Otway Mar 3, [199] 1147;  
 Questions, Observations, Mr. Bentinck; Reply,  
 Mr. Otway; debate thereon April 29,  
 [200] 2109; Question, Mr. Bentinck; Answer,  
 Mr. Gladstone May 2, [201] 7  
 Amendt. on Committee of Supply July 28, To  
 leave out from "That" and add "in the opinion  
 of this House, it is not competent for a  
 Minister to allege or read in debate in defence  
 of his policy any Document which is not upon  
 the Table, and which he is not prepared to  
 communicate to the House; and that it is  
 incumbent upon Her Majesty's Government to  
 lay forthwith upon the Table, Copy of the  
 entire deposition or statement of facts made  
 in writing by one Holmes, erroneously  
 represented by the Under Secretary of State  
 for Foreign Affairs to have been in command  
 of the British Ship '*Tornado*,' and also further  
 Papers relating to that Ship" (Mr. Bentinck),  
 [203] 1115; after short debate, Question, "That  
 the words, &c.," put, and agreed to  
 Correspondence No. 1 (1870) P. P. [34]  
 Commercial Treaty with, Question, Mr. Akroyd;  
 Answer, Mr. Otway Feb 17, [199] 434; Question,  
 Mr. Grieve; Answer, Mr. Otway June 13,  
 [201] 1940  
 Imprisonment of a British Sailor at Barcelona,  
 Question, Sir Harcourt Johnstone; Answer,  
 Mr. Otway Feb 28, [199] 885  
 Insurrection in Cuba, Question, Mr. Gilpin;  
 Answer, Mr. Otway May 9, [201] 394;  
 Question, Mr. McLaren; Answer, Mr. Otway  
 July 25, [203] 875

Spain—*cont.*

- Spanish and Portuguese Bonds, Question, Mr.  
 Somerset Beaumont; Answer, Mr. Stansfeld  
 Mar 8, [199] 1481  
 The Throne of Spain  
 Question, The Earl of Malmesbury; Answer,  
 Earl Granville July 11, [203] 1  
 Choice of a King—The Prince of Hohenzollern  
 and Mr. Layard, Question, Mr. Rylands;  
 Answer, Mr. Otway July 21, [203] 649  
 Prince Leopold of Hohenzollern, Questions, Mr.  
 W. H. Gregory, Sir William Hutt; Answers,  
 Mr. Otway, Mr. Gladstone July 11, [203] 32;  
 Questions, Observations, Mr. Horsman, Mr.  
 A. Seymour; Answers, Mr. Gladstone July 21,  
 637

Spain and Portugal—Debts to Great Britain

- Questions, Mr. Somerset Beaumont, Mr. Hunt;  
 Answers, The Chancellor of the Exchequer  
 Mar 31, [200] 987

SPEAKER, The (Right Hon. J. E. DENISON) Nottinghamshire, N.

Mr. SPEAKER informs the House that he had  
 been honoured by an invitation from the  
 Chancellor of the University of Oxford to  
 attend at Oxford on Wednesday next, in order  
 that the degree of Doctor of Civil Law might  
 be conferred on him by that University: and  
 Mr. SPEAKER said, that should the House be  
 pleased to afford him the indulgence of being  
 absent on that day, he should be happy to  
 proceed to Oxford and show his sense of the  
 compliment which had been proposed to him  
 by his old University

Whereupon Mr. Gladstone and Mr. Disraeli  
 expressed the satisfaction of the House at  
 the distinction which was about to be conferred  
 on him, and moved that Mr. Dodson,  
 the Chairman of the Committees of Ways  
 and Means, do take the Chair during the  
 right hon. Gentleman's absence June 20,  
 [202] 495

Mr. Speaker addresses the House on the subject  
 of horses employed in agriculture—  
*Customs and Inland Revenue Bill*, [201]  
 1815, 1816

Bill—Amendment—Effect of Amendment upon  
 title of Bill—University Tests Bill—Bill, as  
 amended, *considered*; a new clause moved;  
 an Amendment moved, to insert the words  
 "within the United Kingdom." An hon.  
 Member inquired whether what was proposed  
 would come within the title of the Bill?—  
 Mr. Speaker said, the whole question involved  
 in the subject-matter of the Bill might be  
 raised on the Report. Under those circumstances,  
 an hon. Member would have power to move  
 such words, although if adopted they would  
 necessitate an alteration in the title of the Bill,  
 [202] 1386

Bill—The same Question not to be again  
 considered in the same Session—Order—Irregularity  
 of Motion—There is a rule of the House  
 that no Question may be proposed which is the  
 same in substance as has been

SPEAKER, The—*cont.*

resolved in the affirmative or negative in the same Session—*Emigration to the Colonies*, [201] 824

One of the objects of the [Game Laws Abolition] Bill being to repeal the Act 25 & 26 Vict. c. 14; but the House having already rejected another Bill for the repeal of the said Act, it was objected that, as the House could not consider the same question twice in the same Session, this would be fatal to the passing of this Bill—Mr. Speaker pointed out that this Bill had been printed before the decision referred to was arrived at:—the course would be, that the Bill should proceed until they came to the Schedule in Committee, when it would be competent to strike out so much of the Bill as proposed the repeal of the Act in question, [203] 563

Debate—Explanation—Time for making Explanation—An hon. Member rising and interrupting a Member speaking for the purpose of offering an explanation, Mr. Speaker intimated that the hon. and gallant Member could explain himself when the First Lord of the Treasury had concluded his observations—*Naval Retirement—Resolution*, [200] 165

Debate—Reference to debate in same Session—No Member is to allude to any debate in the same Session upon a Question or Bill not being then under discussion, except by the indulgence of the House for personal explanation, [203] 1613

Debate—Reference to Reports of Debates in Book or Newspaper—No Member may read from a printed newspaper or book the report of any speech made in Parliament during the present Session, [203] 1613

Debate—Speaking twice in the same debate—Order read for resuming adjourned debate on Conventual and Monastic Institutions (*Mr. Newdegate*). Mr. Newdegate rose to address the House, but was met with cries of Order! Order! Chair! Chair! Mr. Speaker said, that as the hon. Member had already spoken in the debate, he could not again address the House without its permission, [201] 52, 55, 56

Debate—Speaking twice in the same debate—An hon. Member who has moved the adjournment of the debate has exhausted his powers of speaking—*Elementary Education Bill*, [202] 298

Debate—Effect of Re-committal of Bill on the right of Members who have given notice of Amendments in Committee to speak

It having been proposed that the Elementary Education Bill should be committed *pro forma* in order that Amendments might be made—an hon. Member asked in what positions those Members who had Amendments on the Paper would be placed, if that course were adopted. Mr. Speaker said, that if the House should go into Committee *pro forma*, and the Bill should be reprinted, every hon. Member would, at the recommencement of the debate, be informed as to the main principles of the change proposed by the Prime Minister; and every hon. Member who had an Amendment on the Paper would have a right to speak—*Elementary Education Bill*, [202] 298, 299

[*cont.*]SPEAKER, The—*cont.*

Debate—Premature discussion of a Question.

Moved, "That the (Game Laws Amendment) Bill be now read the second time." An hon. Member proceeding to discuss the whole question of Game Laws—Mr. Speaker said, that the discussion must be confined to the special Bill before them:—There was also this additional reason—that notice had been given of the general question of the Game Laws for a future day—*Game Laws Amendment Bill*, [200] 7

Debate—Relevancy of Debate—On Mr. Fowler's Motion for leave to bring in a Bill to repeal the Contagious Diseases Acts, (1866-69)—Mr. Speaker had been called upon to enforce the rule which forbids the presence of Strangers at the debates of the House. Mr. Henley, pursuant to notice "to draw the attention of the House to the rule or practice of ordering Strangers to withdraw, and the effect thereof," was proceeding to point out the nature of the Acts proposed to be repealed—Mr. Speaker said, that the right hon. Gentleman's notice referred to the rule or practice of excluding Strangers. He might, no doubt, think the occasion on which the right had been exercised a very important one; but Mr. Speaker thought he was not in order in entering into the details of that subject, [201] 1643; [203] 1560

Debate—Relevancy of Debate—Moved, "That the (Game Laws Amendment) Bill be now read the second time." An hon. Member was proceeding to discuss the whole question of the Game Laws—Mr. Speaker said, the hon. Gentleman was not in order in discussing the general question. They had a Bill before them for a particular object, and the discussion must be confined to that Bill—*Game Laws Amendment Bill*, [200] 7

Debate—Right of Reply—An hon. Member having put a Question, which was answered, sought to make some observations thereon—Mr. Speaker said, the hon. Gentleman was entering upon a reply—*Bridgwater Election*, [199] 805

Debate—Order—To refer to a statement which has been denied by a Member in his place is out of order. It having been stated that Mr. Heron, then a candidate for the county of Tipperary, had upon the hustings called on the mob to give three cheers for the Fenian prisoners; and the hon. and learned Gentleman (who was returned) having denied in the House the language imputed to him—an hon. Member would be out of order in persisting in his reference to the statement—Ireland—*Case of Mr. Madden*, [200] 918

Debate—Un-Parliamentary Language—The word "calumnious" has been called in question on a previous occasion, when it was not considered to be a word which was un-Parliamentary—*Navy—Case of Commander Gurdon*, [201] 1455

Debate—Un-Parliamentary Language—An hon. Member having said that the right hon. Gentleman who had just sat down had made statements which, from his experience, he would show to be entirely false—Mr. Speaker: The hon. Member means to say erroneous—*Unemployed Labour*, [202] 442

[*cont.*]



SPEAKER, The—*cont.*

Order—Irregularity of Motion—There is a rule of the House that no Question may be proposed which is the same in substance as has been resolved in the affirmative or negative in the same Session—*Emigration to the Colonies*, [201] 824

Order—Strangers ordered to withdraw—On Motion for Leave to bring in a Bill to repeal the Contagious Diseases Acts (1866-69) (*Mr. W. Fowler*), *Mr. Craufurd* rose, and said: "Mr. Speaker, I see Strangers present." Mr. Speaker suggested to the hon. and learned Member that he should not insist on excluding strangers. But Mr. Craufurd insisting—Mr. Speaker directed the Galleries to be cleared, [201] 1307

Mr. Henley said: He saw Strangers in the House; Whereupon Mr. Speaker ordered strangers to withdraw, [203] 651

Petitions—Reception of Petitions. An hon. Member having asked Mr. Speaker, If it is competent for the House to decline to receive any Petition that is respectfully worded, and which does not make any demand on the Consolidated Fund? Mr. Speaker explained the Standing Orders relating to Petitions—*Waterford Election Petition*, [202] 1307

Questions—Right of Reply. An hon. Member having put a Question, which was answered, sought to make some observations thereon. Mr. Speaker said, the hon. Member was entering upon a reply—*Bridgwater Election*, [199] 805

Questions—An hon. Member having asked the First Lord of the Treasury a very complex Question relating to the conduct of Business—Mr. Speaker takes occasion to remind the House of the Rules which exist with regard to Questions, [203] 242

Question—Debate on a Question asked—Mr. Speaker points out that a right hon. Member having put a Question to the First Lord of the Treasury, which had been answered, if a debate is to arise it cannot go on without a Motion, [203] 348

SPENCER, Earl (Lord Lieutenant of Ireland)

Cattle Disease (Ireland), 3R. [203] 236, 237

Ireland—Cork, Disturbances at, [202] 1302

Irish Land, Report, *cl.* 3, [202] 1446

*Spirit Licences*

Question, Mr. McCarthy Downing; Answer, Mr. Bruce Feb 28, [199] 884

*Licensing Question*, The, Observations, Mr. Bruce; short debate thereon May 2, [201] 84

STACPOOLE, Mr. W., *Ennis*

Army—Questions, &c.

Artillery and Engineers, Promotion in the, [199] 1626

Band in Hyde Park, [201] 630

Beards in the, [199] 993, 1367

Convicted Army Recruits, [201] 275

Direct Commissions, [203] 1520

Irish Militia, [199] 176

Pay of Officers in India, [202] 785

Service Ammunition, [199] 167

[*cont.*]

STACPOOLE, Mr. W.—*cont.*

County Coroners (Ireland), 2R. [201] 551

Ecclesiastical Titles Act, [199] 170; [200] 1964

Ireland—Questions, &c.

Constabulary, The, [199] 235

Dublin, Representation of, [202] 998

Fenian Prisoners, [199] 1140

Glebes and Glebe Houses, [199] 120

Militia, Motion for Returns, [203] 1738

Polling Places, Extra, [199] 1630

Post Office Telegraphic Communication, [202] 488, 785

Queen's Plates in, [203] 1271

Royal Residence in, [203] 240

Sligo and Cashel, Boroughs of, [199] 1241

Telegraphic Communication, [203] 1281

Irish Land, Comm. *cl.* 3, [201] 40; Considered, *cl.* 1420

Palace of Westminster—Seats in the Central Hall, [202] 261

Party Processions (Ireland), 2R. [200] 956

Peace Preservation (Ireland), 2R. [200] 378; Considered, *cl.* 39, 713

Post Office—Mails to India, via Brindisi, [201] 1058; [202] 492

Settled Estates, 2R. [202] 740

Supply—Offices of the House of Commons, [202] 388

Tobacco, Cultivation of, [199] 1478

Stamp Duties Bill

(*Mr. Dodson*, Mr. Chancellor of the Exchequer, Mr. Stansfeld)

*c.* Ordered; read 1<sup>o</sup> \* May 20 [Bill 135]

Read 2<sup>o</sup>, after short debate May 30, [201] 1637

Committee\*; Report July 11 [Bill 209]

Committee\* (on re-comm.); Report August 2 [Bill 256]

Committee; Report August 4, [203] 1560

Considered\*; read 3<sup>o</sup> August 5

*l.* Read 1<sup>st</sup> \* (*The Marquess of Lansdowne*) (No. 295)

Read 2<sup>nd</sup> \*; Committee negatived August 8

Read 3<sup>rd</sup> \* August 9

Royal Assent August 10 [33 & 34 Vict. c. 97]

Stamp Duties Management Bill

(*Mr. Stansfeld*, Mr. Chancellor of the Exchequer)

*c.* Ordered; read 1<sup>o</sup> \* July 14 [Bill 220]

Read 2<sup>o</sup> \* August 2

Committee\*; Report August 4

Read 3<sup>o</sup> \* August 5

*l.* Read 1<sup>st</sup> \* (*The Marquess of Lansdowne*) (No. 296)

Read 2<sup>nd</sup> \*; Committee negatived August 8

Read 3<sup>rd</sup> \* August 9

Royal Assent August 10 [33 & 34 Vict. c. 98]

Stamp Duty on Deeds Bill

(*Mr. Bourke*, Mr. Dodds)

*c.* Ordered; read 1<sup>o</sup> \* Mar 28 [Bill 89]

Stamp Duty on Leases Bill

(*Mr. Chancellor of the Exchequer*, Mr. Stansfeld)

*c.* Motion for Leave (*Mr. Chancellor of the Exchequer*) Mar 3, [199] 1234; Bill ordered;

read 1<sup>o</sup> \* [Bill 59]

[*cont.*]

*Stamp Duty on Leases Bill*—cont.

- Question, Mr. Hadfield; Answer, The Chancellor of the Exchequer *Mar 7, 1872*  
 Bill read 2<sup>d</sup>, after short debate *Mar 7, 1863*  
 Committee; Report *June 13, [201] 1982*  
 Considered \* *June 16* [Bill 161]  
 Read 3<sup>d</sup> \* *June 20*  
 l. Read 1<sup>a</sup> \* (*The Marquess of Lansdowne*)  
*June 21* (No. 148)  
 Read 2<sup>a</sup> \* *July 21*  
 Committee \*; Report *July 25*  
 Read 3<sup>a</sup> \* *July 26*  
 Royal Assent *August 1* [33 & 34 *Vict. c. 44*]

STANHOPE, Earl

- Benefices Resignation, [202] 1343; 3R. 1694  
 Canada—Fenians, Invasion by, [201] 1468  
 Elementary Education, Comm. cl. 3, [203] 1160  
 Irish Land, Comm. cl. 3, [202] 781; Report, cl. 3, 1433  
 Naturalization, 2R. [199] 1135  
 New Lectionary, [202] 1330  
 Prayer Book (Table of Lessons), 3R. [203] 402  
 Sligo and Cashel Disfranchisement, 2R. [202] 1601  
 Wellington, Duke of—Monument, Motion for Papers, [200] 1281, 1282

STANLEY OF ALDERLEY, Lord

- Irish Land, Comm. cl. 42, Amendt. [202] 1454

STANLEY, Hon. Captain F. A., *Lancashire, N.*

- Army Enlistment, 2R. [201] 790; Comm. cl. 4, [203] 458  
 Navy—Chatham, &c. Dockyards, Motion for a Committee, [201] 1738  
 Navy—Coastguard, Res. [199] 846  
 Navy Estimates—Admiralty Office, [199] 1299; [201] 1672  
 New Works, [201] 1764

STANLEY, Hon. W. O., *Beaumaris*

- Chapel and Schools Site, [200] 1986  
 Metropolis—Hyde Park—The Serpentine, [200] 1170

STANSFELD, Right Hon. J. (Lord of the Treasury), *Halifax*

- Army—Militia Officers, [203] 1522  
 Army—Kierwee Prize Money, Motion for an Address, [201] 1543, 1544  
 Assessed Duty on Male Servants, [203] 350  
 Canada (Guarantee of Loan), 2R. [203] 1257  
 Ceylon—Currency of, [201] 1058  
 Chancery, Accountant General in, [202] 1712  
 Charitable Trusts Act, [201] 1768  
 Civil Service Commissioners, [202] 1710  
 Civil Service Estimates, [203] 1769  
 Civil Service Pensions, [201] 460  
 Clerical Disabilities, Leave, [199] 871  
 Consolidated Fund (Appropriation), 2R. [203] 1628  
 Custom House Clerks, [199] 1146;—Salaries to, [201] 574; [202] 1361  
 Custom House—Landing Goods, [203] 1688

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STANSFELD, Right Hon. J.—cont.

- Customs and Inland Revenue, 2R. [201] 1636; Comm. cl. 6, 1802, 1804; Amendt. 1805; Schedule, 1818; Consid. add. cl. [202] 307  
 Customs Department, Organization of the, [199] 1368  
 Customs—Writers under the Board of, [203] 1689  
 Fees in the Superior Courts of Common Law, [201] 1841  
 Foreign Office Agents, Compensation to, [201] 393  
 Friendly Societies Returns, [200] 1430  
 Funded and Unfunded Debt, [201] 325  
 Gough, Viscount, Statue of, Motion for an Address, [203] 774  
 Gun Licences, Comm. cl. 3, [202] 853, 854; cl. 7, [203] 464  
 House Tax, Res. [200] 1377  
 Hudson's Bay Company, [201] 968  
 Income Tax Assessment, &c. 2R. [199] 1731  
 Income Tax Collection, [199] 1367  
 Ink, Cost of, for the Public Service, [201] 1945  
 Inspectors of Taxes—Retirement Allowances, [203] 36  
 Ireland—Irwin, Mr. G., Case of, [202] 1354  
 Queen's Plates in, [203] 1271  
 Public Record Office, [201] 629  
 Ireland—Shannon Navigation [Grant], Comm. [203] 1040, 1041, 1045  
 Loans for Land Improvements, [199] 765  
 Medway Union, [203] 1195  
 Metropolis—South Kensington Museum, [199] 764  
 Mona Brick and Tile Company, [203] 1092  
 Navy—Discharged Dockyard Workmen, [200] 208  
 New Forest, Res. [203] 949, 950, 1526, 1690  
 New Zealand Loan, [201] 1058  
 Parliament—Blue Books and Parliamentary Papers, [200] 1049  
 Pilotage, Comm. [202] 598  
 Post Office—Letters of Officers on Foreign Stations, [201] 1191  
 Post Office Telegraph, [203] 1527  
 Public Service (Competition), Motion for Papers, [203] 155  
 Queen Anne's Bounty (Superannuation), 2R. [203] 1023, 1025, 1026  
 Royal Forests, [199] 820  
 Savings Banks, [200] 725  
 Spanish and Portuguese Bonds, [199] 1481  
 Stamp Duties, Comm. cl. 49, [203] 1561; cl. 51, 1562; cl. 9, Amendt. 1563  
 Stamp Duty on Leases, Comm. cl. 1, [201] 1985, 1987  
 Supply—Charity Commission, [203] 370  
 Civil Service Commission, [203] 370  
 Civil Service Estimates, [199] 1570, 1572, 1573, 1575; [200] 1583, 1584  
 Commissioners of Police, Dublin, [203] 1123, 1124  
 Constabulary (Ireland), [203] 1125  
 Copyhold, Inclosure, and Tithe Commission, [203] 371  
 County Courts, [203] 995  
 Customs Department, [203] 1249, 1250  
 Embassy Houses, Constantinople, &c. [203] 921  
 Exchequer and Audit Department, [203] 371, 372  
 Fishery Board (Scotland), [203] 783  
 Flax Cultivation (Ireland), [203] 1248  
 Friendly Societies, Report, Amendt. [203] 923

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STANSFELD, Right Hon. J.—*cont.*

Grants for Civil Services, [199] 1953, 1957  
Inland Revenue Department, [203] 1251  
Law Charges, [203] 990  
Lord Lieutenant (Ireland)—Expenses, [203] 922  
Miscellaneous Expenses, [199] 1576, 1577  
New Courts of Justice, [203] 1466  
Offices of the House of Commons, [202] 386, 390  
Offices of the House of Lords, [202] 383, 384  
Privy Council Office, [202] 400  
Public Works (Ireland), [203] 920  
Registrars of Friendly Societies, [203] 670, 671  
Report, [203] 465  
Revenue and Post Office Packet Services, [199] 1579  
Salaries, &c., Queen's and Lord Treasurer's Remembrancer, [203] 782  
Stationery and Printing, &c. [203] 672  
Superannuation, &c. [203] 1247, 1478  
University of London, [203] 1141, 1143, 1144  
Woods, Forests, &c. [203] 676, 681  
Turkey—Embassy House at Constantinople, [202] 262; [203] 1196, 1281  
Wales, Wastes of Manor in, [201] 1767  
Welsh Fasting Girl, Case of the, [202] 1304  
War Office, 2R. [199] 786; 3R. [200] 1754, 1756, 1762  
Wimbledon Common, [200] 638

STAPLETON, Mr. J., *Berwick-on-Tweed*

Benefices, 2R. [201] 544  
Elementary Education, Comm. cl. 7, [202] 1108; *add. cl.* [203] 265; 3R. 751  
Factory Discipline—Case of Hannah Andrews, [199] 584  
Habitual Criminals Act, [201] 272  
Irish Land, Comm. cl. 66, [201] 772; Lords Amends. [203] 135  
Neutrality—Coal, Supplying Belligerents with, [203] 1278  
Parliament—Scotch and Irish Representative Peers, [203] 40  
Settled Estates, 2R. [202] 740  
Stamp Duty on Leases, Comm. cl. 1, [201] 1986  
Supply—Privy Council Office, [202] 400  
Tea, Adulterated, [199] 1735  
United States—Further Treaty of Extradition, [203] 1733  
University Tests, Comm. cl. 5, [201] 1977  
Vagrants, Police Regulation of, Res. [201] 649  
Water Supply on Sunday (Metropolis), Leave, [200] 1368

Statute Law Revision Bill

(*Mr. Stansfeld, Mr. Chancellor of the Exchequer*)

c. Ordered; read 1<sup>o</sup>\* July 12 [Bill 215]  
Read 2<sup>o</sup>\* July 18  
Committee\*; Report July 25  
Read 3<sup>o</sup>\* July 26  
l. Read 1<sup>o</sup>\* (*The Marquess of Lansdowne*) July 28  
Read 2<sup>a</sup>\* August 2 (No. 250)  
Committee\* August 4  
Report\* August 5  
Read 3<sup>a</sup>\* August 6  
Royal Assent August 9 [33 & 34 Vict. c. 69]

Statute Law Revision (Ireland) Bill

(*Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*)

c. Ordered; read 1<sup>o</sup>\* August 9 [Bill 264]

*Statutes, Revision of the*

Question, Mr. Locke King; Answer, The Solicitor General Feb 24, [199] 763  
*New Edition of the . . . Parl P.* 116, 192

*Steam Boiler Explosions*

Select Committee appointed, "to inquire into the cause of Steam Boiler Explosions, and as to the best means of preventing them" (*Mr. Hick*) May 16, [201] 790

And, on May 20, Committee nominated as follows:—Mr. Hick (Chairman), Mr. Armitstead, Sir Thomas Bazley, Captain Beaumont, Mr. Birley, Mr. Cawley, Mr. Joshua Fielden, Colonel Gray, Lord John Hay, Mr. Hermon, Mr. Staveley Hill, Mr. Laird, Mr. Lancaster, Mr. McClure, Mr. Pim, Mr. Platt, Dr. Lyon Playfair, Mr. H. B. Sheridan, and Mr. Tipping  
Report of Select Comm. July 21—P. P. 370

Steam Boilers Inspection Bill

(*Mr. Henry B. Sheridan, Dr. Lush*)

c. Acts considered in Committee; Bill ordered; read 1<sup>o</sup>\* Mar 2 [Bill 58]  
Bill withdrawn\* July 21

*Steam Vessels, Losses of*

Question, Sir John Pakington; Answer, Mr. Shaw Lefevre Mar 31, [200] 990

STEPNEY, Colonel J. S. C., *Carmarthen, &c.*  
Water Supply on Sunday (Metropolis), Leave, [200] 1370

STEVENSON, Mr. J. C., *South Shields*

Annuity Tax (Edinburgh), 2R. [199] 1110  
Durham, Dean and Chapter of, [203] 1283  
Elementary Education, Comm. cl. 19, [202] 1319; Consid. cl. 11, Amendt. [203] 491  
Harrow and Winchester Schools, Res. [203] 978  
Lighthouse Dues, [201] 744  
Mercantile Marine, Res. [203] 1108  
Merchant Shipping, Leave, [199] 312  
Supply—Ordnance Survey, [203] 919  
University Tests, Comm. cl. 3, Amendt. [201] 1954, 1959

STONE, Mr. W. H., *Portsmouth*

Navy—Discharged Dockyard Men, [202] 1353  
Dockyard Superannuations, [200] 1168

STOPFORD, Mr. S. G. SACKVILLE-, *Northamptonshire, N.*

Army—Yeomanry, [200] 201  
Army Estimates—Land Forces, [199] 1227  
Supply—Superannuation, &c. [203] 1479  
University Tests, Consid. Motion for Adjournment, [202] 1388

*Storm Warnings*

Question, Colonel Sykes; Answer, Mr. Shaw Lefevre August 5, [203] 1573

STRADBROKE, Earl of

Irish Land, Comm. cl. 4, [202] 964

# STRATFORD DE REDCLIFFE, Viscount

Belgium—Neutrality of, [203] 1760  
Canada—Canadian Volunteers, Res. [203] 727  
Elementary Education, Comm. cl. 14, Amendt. [203] 1177; Pream ble, Amendt. 1193  
France and Prussia—Alleged Draft Treaty, [203] 819  
Greece—Murder of British Subjects, [201] 1187; Motion for an Address, [203] 5, 28  
Militia Acts Amendment, 2R. [203] 1398

## Street Tramways

Observations, Lord Redesdale; Reply, The Earl of Kimberley Feb 10, [199] 114  
In London, Question, Mr. W. H. Smith; Answer, Mr. Shaw Lefevre Feb 17, [199] 1432

# STRUTT, Hon. H., Derbyshire, E.

Army—Candidates for the Royal Military Academy, [200] 74  
Greece—Murder of British Subjects, [203] 1432  
Hyde Park—The Serpentine, [202] 1207

# STURT, Mr. H. G., Dorsetshire

Game Laws Abolition, 2R. [201] 1397

## Submarine Cables and the Admiralty

Question, Mr. W. H. Gregory; Answer, Mr. Knatchbull-Hugessen May 13, [201] 629

# Suburban Commons Bill

(Mr. Cowper-Temple, Mr. Buxton)

c. Motion for Leave (Mr. Cowper-Temple) Feb 22, [199] 707; Bill ordered; read 1<sup>st</sup> [Bill 41]  
Moved, "That the Bill be now read 2<sup>o</sup>" May 11, [201] 559  
Amendt. to leave out "now" and add "upon this day six months" (Mr. James Lowther); after short debate, Question, "That 'now,' &c." put, and agreed to; main Question put, and agreed to; Bill read 2<sup>o</sup>  
Moved, "That the Bill be committed for Wednesday the 22nd day of June next" (Mr. Cowper-Temple), 563  
Amendt. to leave out from "committed" and add "to a Select Committee" (Mr. Goldney); after further short debate, Question put, "That the words, &c.;" A. 133, N. 77; M. 56; main Question put, and agreed to; Bill committed  
Bill withdrawn \* July 20

# Sugar Duties (Isle of Man) Bill

(Mr. Stansfeld, Mr. Chancellor of the Exchequer, Mr. William Henry Gladstone)

c. Resolution in Committee; Resolution agreed to, and reported; Bill ordered; read 1<sup>st</sup> \* July 7  
Read 2<sup>o</sup> \* July 8 [Bill 203]  
Committee\*; Report July 11  
Read 3<sup>o</sup> \* July 12  
l. Read 1<sup>st</sup> \* (The Marquess of Lansdowne) July 14  
Read 2<sup>nd</sup> \* July 21 (No. 209)  
Committee\*; Report July 25  
Read 3<sup>rd</sup> \* July 26  
Royal Assent August 1 [33 & 34 Vict. c. 43]

# Summary Convictions Bill

(Mr. Denman, Mr. Cross, Mr. Hibbert)

c. Ordered; read 1<sup>st</sup> \* Feb 25 [Bill 50]  
Moved, "That the Bill be now read 2<sup>o</sup>" April 6, [200] 1419; after short debate, Motion withdrawn; Bill withdrawn

# Sunday Trading Bill [H.L.]

(The Lord Chelmsford)

l. Presented; read 1<sup>st</sup> \* Feb 14 (No. 5)  
199] Bill read 2<sup>nd</sup>, after short debate Feb 22, 670  
Committee Feb 28, 872  
Report \* Mar 1 (No. 19)  
Read 3<sup>rd</sup> \* Mar 3, 1137  
Amendt. moved, to insert new clause (The Earl of Abingdon); after short debate, resolved in the negative; Bill passed  
c. Read 1<sup>st</sup> \* Mar 8 [Bill 68]  
202] Moved, "That the Bill be now read 2<sup>o</sup>" July 6, 1573  
Amendt. to leave out "now" and add "upon this day three months" (Mr. Taylor); after debate, Question put, "That 'now' &c.;" A. 109, N. 64; M. 45; main Question put, and agreed to; Bill read 2<sup>o</sup>  
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" July 19  
Amendt. to leave out from "That" and add "this House will, upon this day three months, resolve itself into the said Committee" (Sir Henry Hoare); Question, "That the words, &c.;" Debate adjourned  
203] Debate resumed July 26, 1011  
Moved, "That the debate be now adjourned" (Mr. Macfie); Motion withdrawn; Question put, "That the words, &c.;" A. 22, N. 15; M. 7; main Question put; A. 22, N. 9; M. 13  
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (Mr. J. G. Talbot) August 3, 1492  
After debate, Question put, and negatived

## Supply

Civil Service Estimates and Expenditure—Returns since 1853, Question, Mr. Candlish; Answer, Mr. Stansfeld August 10, [203] 1769

Committees of Supply and Ways and Means—New Standing Order—After short debate, ordered, That the following be a new Standing Order of this House:—"That this House will, in future, appoint the Committees of Supply and Ways and Means, at the commencement of every Session, so soon as an Address has been agreed to, in answer to Her Majesty's Speech" (Mr. Gladstone) July 28, [203] 1148

## SUPPLY

Queen's Speech considered; Motion, "That a Supply be granted to Her Majesty" Feb 10; Committee thereupon To-morrow  
Committee on Motion, "That a Supply be granted to Her Majesty;" Queen's Speech referred Feb 11:—Motion considered in Committee; Queen's Speech read; Resolved, "That a Supply be granted to Her Majesty;" Resolution to be reported upon Monday next  
Resolution reported, and agreed to, Nemine Contradicto Feb 14  
Considered in Committee—Feb 28, [199] 896—NAVY ESTIMATES—Resolutions reported Mar 1



Supply—cont.

- 199] Considered in Committee *Mar 3, 1158*—ARMY ESTIMATES—Resolutions reported *Mar 4*  
 . Considered in Committee *Mar 4, 1291*—NAVY ESTIMATES—Resolutions reported *Mar 7*  
 . Considered in Committee *Mar 8, 1570*—SUPPLEMENTARY ESTIMATES—CIVIL SERVICES—INLAND REVENUE—POST OFFICE PACKET SERVICE—Resolutions reported *Mar 9*  
 . Considered in Committee *Mar 14, 1953*—EXCESSES CIVIL SERVICE ESTIMATES—INLAND REVENUE DEPARTMENT—POST OFFICE PACKET SERVICE—Resolutions reported *Mar 15*  
 200] Considered in Committee *Mar 17, 167*—NAVY ESTIMATES—Resolutions reported *Mar 18*  
 . Considered in Committee *April 8, 1583*—CIVIL SERVICE ESTIMATES—£2,323,000 on Account—Resolution reported *April 11*  
 201] Considered in Committee *May 30, 1649*—NAVY ESTIMATES—Resolutions reported *May 31*  
 . Considered in Committee *May 31, 1742*—NAVY ESTIMATES—Resolutions reported *June 9*  
 . Considered in Committee *June 9, 1831*—ARMY ESTIMATES—Resolutions reported *June 10*  
 202] Considered in Committee *June 17, 383*—CIVIL SERVICE ESTIMATES—Resolutions reported *June 18*  
 . Considered in Committee *June 23, 851*—CIVIL SERVICE ESTIMATES—£765,550 further on Account—POST OFFICE PACKET SERVICE £300,000—POST OFFICE TELEGRAPHS £90,000—Resolutions reported *June 24*  
 203] Considered in Committee *July 15, 368*—CIVIL SERVICE ESTIMATES—Committee R.P.—Resolutions reported *July 18, 465*; after short debate, Resolutions amended, as follows:—  
 (1.) £75,114, by inserting £66,614; (2.) £2,211, by inserting £1,961; (3.) £13,792, by inserting £12,292; (4.) £9,612, by inserting £8,612; (5.) £15,008, by inserting

Supply—cont.

- £13,258; (6.) £8,250, by inserting £7,500; (7.) £28,349, by inserting £25,349; (8.) £32,720, by inserting £28,720; (9.) £10,390, by inserting £8,640; (10.) £30,550, by inserting £27,050; (11.) £12,262, by inserting £10,762; (12.) £26,265, by inserting £23,265; (13.) £16,432, by inserting £14,682; (14.) £170,109, by inserting £153,109; (15.) £17,487, by inserting £15,737; (16.) £3,563, by inserting £3,063, instead thereof  
 Resolutions, as amended, agreed to  
 203] Considered in Committee *July 18, 416*—ARMY ESTIMATES—Resolutions reported *July 19*  
 . Considered in Committee *July 21, 670*—CIVIL SERVICE ESTIMATES—Resolutions reported *July 25*  
 . Considered in Committee *July 22, 781*—CIVIL SERVICE ESTIMATES—Committee R.P.; Resolutions reported *July 25*  
 . Considered in Committee *July 22, 803*—CIVIL SERVICE ESTIMATES—Resolutions reported *July 25*  
 . Considered in Committee *July 25, 902*—CIVIL SERVICE ESTIMATES—Resolutions reported *July 26*  
 . Considered in Committee *July 26, 990*—CIVIL SERVICE ESTIMATES—Resolutions reported *July 27*  
 . Considered in Committee *July 28, 1121*—CIVIL SERVICE ESTIMATES—Resolutions reported *July 29*  
 . Considered in Committee *July 29, 1222*—NAVY ESTIMATES, 1204—CIVIL SERVICE ESTIMATES—Resolutions agreed to, and reported *August 1*  
 . Considered in Committee *August 2, 1440*—ARMY ESTIMATES—20,000 additional Land Forces  
 . £2,000,000, VOTE OF CREDIT—WAR IN EUROPE—Resolutions reported *August 3*

SUMMARY.

WAYS AND MEANS.

GRANTS OUT OF THE CONSOLIDATED FUND.

|                                                                                                                                | £          | s. | d. | £       | s. | d. |
|--------------------------------------------------------------------------------------------------------------------------------|------------|----|----|---------|----|----|
| For the service of the years ending 31st March 1869 and 1870, and for preceding years; Under Act 33 Vict. cap. 5. s. 1. ... .. |            |    |    | 564,191 | 7  | 2  |
| For the service of the year ending 31st March 1871; viz. Under above Act, s. 2. ... ..                                         | 9,000,000  | 0  | 0  |         |    |    |
| Under Act 33 Vict. cap. 31. ... ..                                                                                             | 9,000,000  | 0  | 0  |         |    |    |
| Under 33 & 34 Vict. c. 96 ... ..                                                                                               | 24,281,493 | 0  | 0  |         |    |    |

42,281,493 0 0

Total ... £42,845,684 7 2

SUMMARY.

APPROPRIATION OF GRANTS.

|                                              | £           | s. | d. |
|----------------------------------------------|-------------|----|----|
| Deficiencies, 1868-69 and prior years ... .. | 237,289     | 7  | 2  |
| Supplementary, 1869-70 ... ..                | 326,902     | 0  | 0  |
| 1870-71                                      |             |    |    |
| NAVY SERVICES ... ..                         | 9,370,530   | 0  | 0  |
| ARMY SERVICES ... ..                         | 12,965,000  | 0  | 0  |
| CIVIL SERVICES—viz.:                         |             |    |    |
| I. Public Works and Buildings ... ..         | 1,457,463   |    |    |
| II. Salaries, &c. Public Departments... ..   | 1,707,742   |    |    |
| III. Law and Justice ... ..                  | 3,985,380   |    |    |
| IV. Education, Science, and Art ... ..       | 1,689,870   |    |    |
| V. Colonial and Consular Services ... ..     | 620,593     |    |    |
| VI. Superannuation, &c. ... ..               | 513,767     |    |    |
| VII. Miscellaneous ... ..                    | 88,982      |    |    |
|                                              | 10,063,797  | 0  | 0  |
| REVENUE DEPARTMENTS ... ..                   | 6,426,720   | 0  | 0  |
| VOTE OF CREDIT—WAR IN EUROPE ... ..          | 2,000,000   | 0  | 0  |
| EXCHEQUER BONDS... ..                        | 1,300,000   | 0  | 0  |
| MISCELLANEOUS ... ..                         | 155,446     | 0  | 0  |
|                                              | £42,845,684 | 7  | 2  |

*Supply—cont.*

COMMITTEE Mar 14—REPORT Mar 15

DEFICIENCIES.

Moved, "That a sum, not exceeding £218,003, be granted to make good deficiencies on the several grants herein particularly mentioned for the year ended on the 31st day of March 1869, and for preceding years; viz. :—

| CIVIL SERVICES, viz.,                            |        | Total of<br>Vote. |    |    |
|--------------------------------------------------|--------|-------------------|----|----|
| CLASS I.                                         |        | £                 | s. | d. |
| British embassy houses, Paris and<br>Madrid      | ... .. | 321               | 6  | 4  |
| Rates for government Property                    | ...    | 3,802             | 17 | 3  |
| CLASS II.                                        |        |                   |    |    |
| Treasury                                         | ... .. | 849               | 2  | 7  |
| Chief Secretary to Lord Lieutenant<br>of Ireland | ... .. | 23                | 5  | 3  |
| Commissioners of Works, England                  | ...    | 3,019             | 14 | 2  |
| Lunacy commission, England                       | ...    | 15                | 11 | 4  |
| Printing and stationery                          | ...    | 13,794            | 5  | 3  |
| Fishery board                                    | ... .. | 1,949             | 19 | 2  |
| Record office, Ireland                           | ... .. | 10                | 3  | 8  |
| Boundary survey                                  | ...    | 155               | 17 | 10 |
| Charitable donations, &c.                        | ...    | 614               | 6  | 6  |

CLASS III.

|                                                             |        |       |
|-------------------------------------------------------------|--------|-------|
| Police, counties and boroughs, Great Britain ... ..         | 29,462 | 11 11 |
| Miscellaneous legal charges, England ... ..                 | 193    | 4 0   |
| County prisons and reformatories, &c., Great Britain ... .. | 6,040  | 15 9  |
| Convict establishments in the colonies ... ..               | 6,745  | 19 0  |
| County prisons ... ..                                       | 2,572  | 2 1   |
| Courts of Law and Justice, Scotland ... ..                  | 4,021  | 6 0   |
| Courts of Probate and Divorce ... ..                        | 693    | 0 3   |
| Land Registry Office ... ..                                 | 96     | 1 0   |
| Prisons, Scotland ... ..                                    | 421    | 6 2   |
| Constabulary of Ireland ... ..                              | 4,650  | 12 1  |
| Dundrum Criminal Lunatic Asylum ... ..                      | 699    | 7 7   |
| Admiralty Court Registry ... ..                             | 589    | 16 8  |

CLASS IV.

|                                    |       |       |
|------------------------------------|-------|-------|
| Queen's Colleges, Ireland ... ..   | 308   | 10 5  |
| Universities, &c., Scotland ... .. | 100   | 12 10 |
| University of London ... ..        | 4     | 5 8   |
| Public education, Ireland ... ..   | 9,632 | 10 4  |
| Queen's University, Ireland ... .. | 281   | 5 8   |
| National Gallery, Ireland ... ..   | 21    | 3 2   |

CLASS V.

|                                                                        |        |       |
|------------------------------------------------------------------------|--------|-------|
| Treasury Chest ... ..                                                  | 5,922  | 16 6  |
| Tonnage bounties and liberated African department ... ..               | 3,216  | 7 4   |
| China, Japan, Siam, services in 1864-5, 1865-6, 1866-7, 1867-8) ... .. | 58,443 | 11 11 |
| Pitcairn's Islanders (1866-7) ... ..                                   | 24     | 11 8  |

CLASS VI.

|                                               |       |       |
|-----------------------------------------------|-------|-------|
| Superannuations and retired allowances ... .. | 1,154 | 8 2   |
| Hospitals and infirmaries, Ireland ... ..     | 4     | 14 8  |
| Nonconforming clergy ... ..                   | 6,409 | 10 11 |

[cont.]

*Supply—cont*

CLASS VII.

Total of  
Vote.

|                                       | £       | s. | d. |
|---------------------------------------|---------|----|----|
| Temporary commissions ... ..          | 19,382  | 11 | 4  |
| Malta and Alexandria telegraph ... .. | 2,388   | 1  | 9  |
| Local dues on shipping ... ..         | 3,929   | 9  | 5  |
| Ditto, ditto, (1867-8) ... ..         | 11,767  | 17 | 8  |
| Flax Cultivation ... ..               | 178     | 2  | 11 |
| Acceleration of registration ... ..   | 9,516   | 6  | 1  |
|                                       | 218,003 | 0  | 7  |

Moved, "That the Item of £58,443, for Services in Japan, &c., be omitted from Vote" (*Sir C. Dilke*); Question put; A. 21, N. 47; M. 26; Vote agreed to [199] 1953

|                            |          |    |    |
|----------------------------|----------|----|----|
| Total Civil Services       | £218,003 | 0  | 7  |
| Inland Revenue Department  | 17,728   | 16 | 8  |
| Post Office Packet Service | 1,557    | 9  | 11 |
| Total ... ..               | £237,289 | 7  | 2  |

COMMITTEE Mar 8—REPORT Mar 9

SUPPLEMENTARY.

Moved, "That a sum, not exceeding £174,687, be granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1870; viz. :—

CIVIL SERVICES, viz.,

|                                          | £     |
|------------------------------------------|-------|
| Harbours under the Board of Trade ... .. | 5,000 |
| Rates on Government property ... ..      | 5,300 |

CLASS II.

|                                     |       |
|-------------------------------------|-------|
| Privy Council office ... ..         | 3,560 |
| Lunacy Commission, England ... ..   | 5,000 |
| Poor Law Commission, England ... .. | 7,400 |
| Poor Law Commission, Ireland ... .. | 2,550 |

CLASS III.

|                                                            |        |
|------------------------------------------------------------|--------|
| Law charges, England ... ..                                | 3,000  |
| Common Law courts, England ... ..                          | 3,500  |
| Police, counties and boroughs, Great Britain ... ..        | 14,000 |
| County prisons and reformatories, &c. Great Britain ... .. | 8,000  |
| Miscellaneous legal charges, England ... ..                | 3,000  |
| Courts of law and justice, Scotland ... ..                 | 1,600  |
| Register house, Edinburgh ... ..                           | 3,700  |
| Common law courts, Ireland ... ..                          | 1,100  |
| Constabulary, Ireland ... ..                               | 5,547  |

CLASS IV.

|                         |       |
|-------------------------|-------|
| Paris Exhibition ... .. | 8,342 |
|-------------------------|-------|

CLASS V.

|                                |        |
|--------------------------------|--------|
| Consular Services ... ..       | 14,700 |
| Colonies, grants in aid ... .. | 4,508  |
| Tonnage Bounties, &c. ... ..   | 25,000 |
| Treasury Chest ... ..          | 6,000  |

CLASS VI.

|                                        |        |
|----------------------------------------|--------|
| Superannuations and retired allowances | 18,000 |
|----------------------------------------|--------|

[cont.]



Supply—cont.

CLASS VII.

|                                                                              | Total of<br>Vote.<br>£ |
|------------------------------------------------------------------------------|------------------------|
| Malta and Alexandria telegraph and sub-<br>sidies to telegraph companies ... | 1,017                  |
| Miscellaneous expenses ...                                                   | 24,663                 |
| Acceleration of registration ...                                             | 200                    |
|                                                                              | <hr/> 174,687          |

After long debate, Vote agreed to

[199] 1570

|                            |          |
|----------------------------|----------|
| Total Civil Services ...   | £174,687 |
| Inland Revenue department  | 22,000   |
| Post Office packet service | 130,215  |

After short debate, Votes agreed to

[199] 1579

|           |          |
|-----------|----------|
| Total ... | £326,902 |
|-----------|----------|

NAVY ESTIMATES, 1870-71.

COMMITTEE Feb 28—REPORT Mar 1

|                                                                                                                                                                                                                                                                                                                                                |                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 61,000 Men and Boys—Statement of<br>the First Lord of the Admiralty ( <i>Mr.</i><br><i>Childers</i> ) on moving a Resolution<br>“That 61,000 men and Boys be<br>employed for Sea and Coastguard<br>Service for the year ending 31st<br>March, 1871, including 14,000 Royal<br>Marines” Feb 28, [199] 896; after<br>long debate, Vote agreed to | <i>Numbers.</i><br>61,000 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|

NAVY ESTIMATES, 1870-71.

|                                     | Total of<br>Vote.<br>£ |
|-------------------------------------|------------------------|
| (1.) Wages to Seamen and Marines... | 2,692,731              |

COMMITTEE Mar 4—REPORT Mar 7

|                                                                                                                                                        |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (2.) Victuals and Clothing for ditto...<br>Moved, “That a sum, not exceeding<br>£968,857, be granted, &c.,” after<br>debate, Vote agreed to [199] 1291 | 968,857 |
| (3.) £159,368, Admiralty Office<br>Moved, “That a sum, not exceeding<br>£159,368, be granted, &c.,” after<br>short debate, Vote deferred<br>[199] 1299 |         |

COMMITTEE May 30—REPORT May 31

|                                                                                                                                              |         |
|----------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Moved, “That a sum, not exceeding<br>£159,368, be granted, &c.”<br>[201] 1649                                                                |         |
| Moved, “That a sum, not exceeding<br>£155,768, &c.” ( <i>Sir John Hay</i> );<br>after debate, Question put, and<br>negatived; Vote agreed to | 159,368 |

COMMITTEE May 30—REPORT May 31

|                                                                                                      |         |
|------------------------------------------------------------------------------------------------------|---------|
| (4.) Coast Guard Service, Royal<br>Naval Coast Volunteers, and Royal<br>Naval Reserve ... [201] 1673 | 196,955 |
| After debate, Vote agreed to                                                                         |         |

COMMITTEE Mar 4—REPORT Mar 7

|                                   |        |
|-----------------------------------|--------|
| (5.) Scientific Branch [199] 1299 | 68,794 |
| After debate, Vote agreed to      |        |

VOL. CCIII. [THIRD SERIES.] [cont.]

Supply—cont.

|                                                                 | Total of<br>Vote.<br>£ |
|-----------------------------------------------------------------|------------------------|
| (6.) Dockyards and Naval Yards at<br>Home and Abroad [199] 1303 | 878,352                |
| After debate, Vote agreed to                                    |                        |

COMMITTEE May 30—REPORT May 31

|                                                                                               |        |
|-----------------------------------------------------------------------------------------------|--------|
| (7.) Victualling Yards and Tran-<br>sport Establishments at Home and<br>Abroad ... [201] 1676 | 69,267 |
| After short debate, Vote agreed to                                                            |        |
| (8.) Medical Establishments at Home<br>and Abroad ... [201] 1677                              | 57,730 |
| After short debate, Vote agreed to                                                            |        |
| (9.) Marine Divisions ...                                                                     | 13,122 |

COMMITTEE May 31—REPORT June 9

|                                                                                                                                                                                                                                                                                                                                                                                               |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (10.) Naval Stores for the Building,<br>Repair, and Outfit of the Fleet and<br>Coast Guard, Steam Machinery and<br>Ships built by Contract:<br>Section I. Naval Stores<br>Moved, “That a sum, not exceeding<br>£779,090, be granted, &c.”<br>After long debate, Moved, “That a<br>sum, not exceeding £746,090, &c.”<br>( <i>Mr. Gowrley</i> ); Motion negatived;<br>Vote agreed to [201] 1757 | 779,090 |
| Section II. Steam Machinery<br>and Ships built by Contract<br>After debate, Vote agreed [201] 1757                                                                                                                                                                                                                                                                                            | 466,173 |
| (11.) New Works, Buildings, Ma-<br>chinery, and Repairs [201] 1763                                                                                                                                                                                                                                                                                                                            | 744,232 |
| After short debate, Vote agreed to                                                                                                                                                                                                                                                                                                                                                            |         |

COMMITTEE July 29—REPORT August 1

|                                                                                                                                                                                                                             |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (12.) Medicines and Medical Stores ...<br>Moved, “That the Vote be reduced<br>by £3,700” (Contagious Diseases<br>Act) ( <i>Mr. Russell Gurney</i> ); after<br>short debate, Amendt. withdrawn;<br>Vote agreed to [203] 1204 | 73,150 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|

COMMITTEE May 30—REPORT May 31

|                                                  |         |
|--------------------------------------------------|---------|
| (13.) Martial Law and Law Charges ...            | 16,678  |
| (14.) Miscellaneous Services ...                 | 118,791 |
| After short debate, Vote agreed to<br>[201] 1677 |         |

Total for the Effective Service ... 7,308,290

COMMITTEE Mar 17—REPORT Mar 18

|                                                                                                        |         |
|--------------------------------------------------------------------------------------------------------|---------|
| (15.) Half Pay, Reserved Half Pay,<br>and Retired Pay to Officers of the<br>Navy and Royal Marines ... | 902,100 |
|--------------------------------------------------------------------------------------------------------|---------|

COMMITTEE July 29—REPORT August 1

|                                                                                                                        |         |
|------------------------------------------------------------------------------------------------------------------------|---------|
| £120,000 (Supplementary) Monthly<br>instead of Quarterly Payments;<br>after short debate, Vote agreed to<br>[203] 1221 |         |
| (16.) Military and Civil Pensions and<br>Allowances:<br>Section I. Military Pensions<br>and Allowances ...             | 635,666 |
| Section II. Civil Pensions and<br>Allowances ...                                                                       | 287,134 |

Total for the Naval Service ... 9,133,190

199—200—201—202—203.

| <i>Supply</i> —cont.                                     | Total of          |
|----------------------------------------------------------|-------------------|
| FOR THE SERVICE OF OTHER DEPART-<br>MENTS OF GOVERNMENT. | Vote.<br>£        |
| Brought forward                                          | 9,133,190         |
| COMMITTEE <i>July 29</i> —REPORT <i>August 1</i>         |                   |
| (17.) Army Department (Conveyance<br>of Troops) ... ..   | 237,840           |
| After short debate, Vote agreed to<br>[203] 1206         |                   |
| Grand Total ... ..                                       | <u>£9,370,530</u> |

### ARMY ESTIMATES, 1870-71.

COMMITTEE *Mar 3*—REPORT *Mar 4*

Statement of the Secretary of State  
for War (*Mr. Cardwell*) on moving  
Resolution (A), "That the number  
of Land Forces for the service of  
the year ending the 31st March  
1870-71 be fixed at 115,037, to-  
gether with 1,760 Native Indian  
Troops" [199] 1158

After long debate, Vote agreed to

| NUMBERS.                                                                    | Numbers.     |
|-----------------------------------------------------------------------------|--------------|
| (A.) General Staff, Regimental and Mi-<br>litary Educational Establishments | 115,037      |
| (B.) Native Indian Troops ... ..                                            | <u>1,760</u> |

### I.—REGULAR FORCES.

|                                                                          | Total of   |
|--------------------------------------------------------------------------|------------|
|                                                                          | Vote.<br>£ |
| (1.) General Staff and Regimental Pay,<br>Allowances, and Charges ... .. | 4,771,900  |

COMMITTEE *June 9*—REPORT *June 10*

|                                           |        |
|-------------------------------------------|--------|
| (3.) Divine Service ... ..                | 43,400 |
| (2.) Administration of Martial Law ... .. | 45,600 |

[201] 1831

After short debate, Vote agreed to

COMMITTEE *July 18*—REPORT *July 19*

|                                                      |         |
|------------------------------------------------------|---------|
| (4.) Medical Establishments and Ser-<br>vices ... .. | 247,500 |
|------------------------------------------------------|---------|

[201] 1831

After short debate, Vote agreed to

### II.—RESERVE FORCES.

|                                                                                                        |         |
|--------------------------------------------------------------------------------------------------------|---------|
| (5.) Militia and Inspection of Reserve<br>Forces ... ..                                                | 720,000 |
| After debate, Vote agreed to                                                                           |         |
| (6.) Yeomanry Cavalry [201] 1835                                                                       | 81,900  |
| Moved, "That a sum, not exceeding<br>£81,900, be granted, &c.;" after<br>debate, A. 124, N. 20; M. 104 |         |
| (7.) Volunteer Corps [203] 416                                                                         | 412,400 |
| After short debate, Vote agreed to                                                                     |         |
| (8.) Army Reserve Force (including<br>Enrolled Pensioners) [203] 418                                   | 68,000  |
| After short debate, Vote agreed to                                                                     |         |

### III.—CONTROL ESTABLISHMENTS AND SERVICES.

|                                                                           |           |
|---------------------------------------------------------------------------|-----------|
| (9.) Control Establishments and<br>Wages ... ..                           | 374,000   |
| (10.) Provisions, Forage, Fuel, Trans-<br>port, and other Services ... .. | 1,428,300 |

[cont.

| <i>Supply</i> —cont.                                                        | Total of   |
|-----------------------------------------------------------------------------|------------|
|                                                                             | Vote.<br>£ |
| (11.) Clothing Establishments, Ser-<br>vices, and Supplies ... ..           | 551,300    |
| (12.) Supply, Manufacture, and Repair<br>of Warlike and other Stores ... .. | 820,400    |
| [203] 419                                                                   |            |
| After debate, Vote agreed to                                                |            |

### IV.—WORKS AND BUILDINGS.

|                                                                                                                                                                          |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (13.) Superintending Establishment of,<br>and Expenditure for, Works, Build-<br>ings, and Repairs, at Home and<br>Abroad ... ..                                          | 695,400 |
| Moved, "That a sum, not exceeding<br>£700,400, be granted, &c."                                                                                                          |         |
| Moved, "That the Item of £5,000,<br>for Knightsbridge Barracks, be<br>omitted, &c." ( <i>Mr. Cardwell</i> ); on<br>Question, agreed to; Vote, as re-<br>duced, agreed to |         |

### V.—VARIOUS SERVICES.

|                                                                                                                                                |         |
|------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (14.) Establishments for Military Edu-<br>cation ... ..                                                                                        | 139,300 |
| (15.) Miscellaneous Services [203] 430                                                                                                         | 50,600  |
| Moved, "That a sum, not exceeding<br>£50,600, be granted, &c."                                                                                 |         |
| Moved, "That the Item of £600,<br>Inspector under Infectious Diseases<br>Act, be omitted, &c.;" Question<br>put, and negatived; Vote agreed to |         |

COMMITTEE *August 2*—REPORT *August 3*

|                                                                                                                                                                                  |         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (16.) Administration of the Army ... ..                                                                                                                                          | 217,300 |
| Moved, "That a sum, not exceeding<br>£217,300, be granted, &c."                                                                                                                  |         |
| [203] 1464                                                                                                                                                                       |         |
| Moved, "That the Item of £4,000,<br>Salary of Commander-in-Chief, be<br>reduced by £1,768" ( <i>Mr. Anderson</i> );<br>after short debate, Motion nega-<br>tived; Vote agreed to |         |

Total Effective Services £10,668,200

### VI.—NON-EFFECTIVE SERVICES.

COMMITTEE *July 18*—REPORT *July 19*

|                                                                       |           |
|-----------------------------------------------------------------------|-----------|
| (17.) Rewards for Distinguished Ser-<br>vices, &c. ... ..             | £         |
| (18.) Pay of General Officers ... ..                                  | 73,000    |
| (19.) Full Pay of Reduced and Retired<br>Officers and Half-pay ... .. | 598,000   |
| (20.) Widows' Pensions, &c. ... ..                                    | 155,300   |
| (21.) Pensions for Wounds ... ..                                      | 20,800    |
| (22.) Chelsea and Kilmainham Hos-<br>pitals (In-Pensions) [203] 432   | 86,000    |
| After short debate, Vote agreed to                                    |           |
| (23.) Out-Pensions ... ..                                             | 1,220,100 |
| (24.) Superannuation Allowances ... ..                                | 148,300   |
| (25.) Militia, Yeomanry Cavalry, and<br>Volunteer Corps ... ..        | 18,000    |

Total Non-Effective Services £2,296,800

### RECAPITULATION.

|                                                        |                    |
|--------------------------------------------------------|--------------------|
| Effective Services ... ..                              | 10,668,200         |
| Non-Effective Services ... ..                          | 2,296,800          |
| Total Effective and Non-Effect-<br>ive Services ... .. | <u>£12,965,000</u> |

[cont.



## CIVIL SERVICE ESTIMATES, 1870-71.

\* \* The Votes marked † are “to complete sums” for the several Services named.

## CLASS I.—PUBLIC WORKS AND BUILDINGS.

## COMMITTEE July 25—REPORT July 26. Total of

## GREAT BRITAIN :

|                                                 |         |
|-------------------------------------------------|---------|
| (1.) † £21,674, Royal Palaces ...               | 32,674  |
| (2.) † £80,437, Royal Parks ...                 | 119,450 |
| After short debate, Vote agreed to              |         |
| [203] 913                                       |         |
| (3.) † £83,807, Public Buildings ...            | 123,807 |
| (4.) † £11,700, Furniture of Public Offices ... | 17,200  |

## COMMITTEE August 2—REPORT August 3

|                                                             |        |
|-------------------------------------------------------------|--------|
| (5.) † £64,000, Westminster Palace, Acquisition of Land ... | 80,000 |
|-------------------------------------------------------------|--------|

## COMMITTEE July 25—REPORT July 26

|                                                                     |        |
|---------------------------------------------------------------------|--------|
| (6.) † £22,587, Houses of Parliament                                |        |
| After short debate, Vote agreed to                                  |        |
| [203] 915                                                           |        |
| £10,170 (Supplementary); Moved,                                     |        |
| “That a sum, not exceeding £10,170,                                 |        |
| be granted, &c.” [203] 902                                          |        |
| Moved, “That the Item of £7,160,                                    |        |
| Refreshment Department, be omitted”                                 |        |
| ( <i>Mr. Bentinck</i> ); after short debate, Motion negatived; Vote |        |
| agreed to ...                                                       | 48,757 |
| (7.) † £12,500, Public Offices' Site ...                            | 18,000 |

## COMMITTEE August 2—REPORT August 3

|                                                   |        |
|---------------------------------------------------|--------|
| (8.) † £13,000, New Home and Colonial Offices ... | 40,000 |
| After short debate, Vote agreed to                |        |

## COMMITTEE July 25—REPORT July 26

|                                                     |        |
|-----------------------------------------------------|--------|
| (9.) † £24,083, Public Record Repository ...        | 36,083 |
| (10.) † £4,395, Chapter House, Westminster ...      | 6,395  |
| After short debate, Vote agreed to                  |        |
| [203] 918                                           |        |
| (11.) † £10,067, Sheriff Court Houses, Scotland ... | 14,817 |

## COMMITTEE August 2—REPORT August 3

|                                                   |        |
|---------------------------------------------------|--------|
| (12.) † £37,250, National Gallery Enlargement ... | 44,000 |
| After short debate, Vote agreed to                |        |

## COMMITTEE July 25—REPORT July 26

|                                                            |        |
|------------------------------------------------------------|--------|
| (13.) † £11,200, University of London (Buildings) ...      | 16,700 |
| (14.) † £13,250, Glasgow University ...                    | 20,000 |
| (15.) † £6,500, Edinburgh Industrial Museum ...            | 10,000 |
| (16.) † £36,000, Burlington House ...                      | 55,000 |
| After short debate, Vote agreed to                         |        |
| [203] 918                                                  |        |
| (17.) † £101,648, Post Office and Inland Revenue Buildings |        |

[cont.]

## Supply—cont.

Total of  
Vote.

## COMMITTEE August 2—REPORT August 3

|                                                                                          |         |
|------------------------------------------------------------------------------------------|---------|
| † (Supplementary); Moved, “That a sum, not exceeding £7,000, be granted, &c.” [203] 1473 | £       |
| After short debate, Vote agreed to ...                                                   | 159,648 |
| (18.) † £9,774, British Museum Buildings ...                                             | 15,244  |
| After short debate, Vote agreed to                                                       |         |
| [203] 919                                                                                |         |
| (19.) † £40,762, County Courts Buildings ...                                             | 60,762  |

## COMMITTEE August 2—REPORT August 3

|                                                                  |        |
|------------------------------------------------------------------|--------|
| (20.) † £44,000, Science and Art Department Buildings [203] 1472 | 57,500 |
| After short debate, Vote agreed to                               |        |

## COMMITTEE July 25—REPORT July 26

|                                                    |         |
|----------------------------------------------------|---------|
| (21.) † £80,100, Surveys of the United Kingdom ... | 120,100 |
| After short debate, Vote agreed to                 |         |
| Enlargement of Marlborough House                   | 7,600   |
| (22.) † £28,199, Harbours of Refuge ...            | 70,199  |

## COMMITTEE August 2—REPORT August 3

|                                                                     |        |
|---------------------------------------------------------------------|--------|
| † £28,500 (Supplementary); Moved,                                   |        |
| “That a sum, not exceeding £28,500, be granted, &c.” [203] 1473     |        |
| After short debate, Vote agreed to                                  |        |
| (23.) † £2,380, Portland Harbour ...                                | 3,880  |
| (24.) † £6,500, Metropolitan Fire Brigade ...                       | 10,000 |
| (25.) † £23,913, Rates on Government Property ...                   | 35,913 |
| (26.) † £644, Wellington Monument                                   | 350    |
| Moved, “That a sum, not exceeding £644, be granted, &c.” [203] 1472 |        |
| After short debate, Motion withdrawn                                |        |
| Natural History Museum ...                                          | 6,000  |

## IRELAND :

|                                                                                                  |         |
|--------------------------------------------------------------------------------------------------|---------|
| (27.) † £99,542, Public Buildings ...                                                            | 147,542 |
| Moved, “That a sum, not exceeding £99,542, be granted, &c.” [203] 920                            |         |
| Moved, “That a sum, not exceeding £97,542” ( <i>Mr. Lusk</i> ); Motion withdrawn; Vote agreed to |         |
| (28.) † £3,500, Ulster Canal ...                                                                 | 5,000   |

## ABROAD :

|                                                                                                      |        |
|------------------------------------------------------------------------------------------------------|--------|
| (29.) † £10,010, Lighthouses Abroad                                                                  | 15,510 |
| (30.) † £1,722, Embassy Houses, Paris and Madrid ...                                                 | 2,722  |
| After short debate, Vote agreed to                                                                   |        |
| [203] 921                                                                                            |        |
| (31.) † £41,610, Embassy Houses and Consular Buildings, Constantinople, China, Japan, and Tehran ... | 61,610 |
| After short debate, Vote agreed to                                                                   |        |
| [203] 921                                                                                            |        |

Total Civil Services Class I. ... £1,457,463

[cont.]

Supply—cont.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

ENGLAND :

COMMITTEE June 17—REPORT June 20

(1.) † £34,023, House of Lords' Offices [202] 383

After short debate, Vote agreed to

(2.) † £37,806, House of Commons' Offices [202] 385

After short debate, Vote agreed to

(3.) † £44,193, Treasury and Subordinate Departments [202] 390

After short debate, Vote agreed to

(4.) † £66,032, Home Office and Subordinate Departments [202] 390

After short debate, Vote agreed to

(5.) † £48,814, Foreign Office ... 64,814

Moved, "That a sum, not exceeding £48,814, be granted, &c." [202] 394

Moved, "That a sum, not exceeding £46,814, &c." (*Mr. Rylands*); after short debate, Motion withdrawn; Vote agreed to ... 34,933

(6.) † £26,933, Colonial Office ... 47,749

(7.) † £35,749, Privy Council Office and Subordinate Departments [202] 397

After debate, Vote agreed to

(8.) † £75,114, Board of Trade and Subordinate Departments ... 100,114

Moved, "That a sum, not exceeding £75,114, be granted, &c." [202] 405

Moved, "That a sum, not exceeding £73,834, &c." (*Mr. Whitwell*); after short debate, Comm. R.P.

COMMITTEE July 15—REPORT July 18

Question again proposed; Amend. negatived; Vote agreed to [203] 368

(9.) † £2,211, Privy Seal Office ... 2,911

(10.) † £13,792, Charity Commission ... 17,792

After short debate, Vote agreed to [203] 369

(11.) † £9,612, Civil Service Commission ... [203] 369

After short debate, Vote agreed to

(12.) † £15,008, Copyhold, Inclosure, and Tithe Commission ... 20,008

Moved, "That a sum, not exceeding £15,008, be granted, &c." [203] 370

Moved, "That a sum, not exceeding £11,008, &c." (*Mr. A. Johnston*); after short debate, Motion withdrawn; Vote agreed to

(13.) † £8,250, Copyhold, Inclosure, and Drainage Acts Expenses ... 10,250

(14.) † £28,349, Exchequer and Audit Department ... [203] 371

After short debate, Vote agreed to

(15.) † £32,720, General Register Office ... 43,720

(16.) † £10,390, Lunacy Commission ... 15,390

After short debate, Vote agreed to [203] 372

(17.) † £30,550, Mint ... 40,550

Moved, "That a sum, not exceeding £30,550, be granted, &c." [203] 372

Moved, "That a sum, not exceeding £26,850, &c." (*Mr. Muntz*); after debate, Motion negatived; Vote agreed to

Supply—cont.

Total of Vote. £

(18.) † £12,262, National Debt Office 16,262

(19.) † £26,265, Patent Office [203] 376 34,265

After short debate, Vote agreed to

(20.) † £16,432, Paymaster General's Office ... 21,432

(21.) † £170,109, Poor Law Commission ... 220,109

(22.) † £17,487, Public Record Office 22,487

(23.) † £3,563, Public Works Loan Commission ... 4,563

(24.) Registrars of Friendly Societies Moved, "That a sum, not exceeding £2,044, be granted, &c." [203] 1378 Comm. R.P.

COMMITTEE July 21—REPORT July 25

(24.) † £1,794, Registrars of Friendly Societies

Moved, "That a sum, not exceeding £1,794, be granted, &c." [203] 670

Moved, "That the Item of £800, for Registrar of Friendly Societies, be omitted" (*Mr. Rylands*); after short debate, Motion withdrawn; Vote agreed to

On Report, Res. amended by leaving out £1,794 and inserting £1,394 instead thereof ... 2,344

(25.) † £241,656, Stationery Office and Printing [203] 671 375,656

After short debate, Vote agreed to

(26.) † £17,524, Woods, Forests, &c., Office of ... 27,024

Moved, "That a sum, not exceeding £17,524, be granted, &c." [203] 672

Moved, "That a sum, not exceeding £16,524, &c." (*Mr. Muntz*); after short debate, Motion withdrawn; Vote agreed to

(27.) † £22,028, Works and Public Buildings, Office of [203] 681 34,028

Moved, "That a sum, not exceeding £22,028, be granted, &c." [203] 681

Moved, "That the item of £1,500, salary of Director, be reduced by £750" (*Mr. Bentinck*); after debate, Motion negatived; Vote agreed to

(28.) † £17,000, Secret Service ... 25,000

Moved, "That a sum, not exceeding £17,000, be granted, &c." [203] 690

Moved, "That a sum, not exceeding £7,000, &c." (*Mr. Rylands*); after debate, Motion withdrawn; Vote agreed to

COMMITTEE July 22—REPORT July 25

SCOTLAND :

(29.) † £4,072, Exchequer and other Offices

Moved, "That a sum, not exceeding £4,072, be granted, &c." [203] 781

Moved, "That the item of £217 13s., for Queen's Plates, be omitted" (*Mr. Lusk*); after debate, Question put, and agreed to; Vote, as amended, agreed to ... 5,854

(30.) † £9,312, Fishery Board ... 13,812

After short debate, Vote agreed to [203] 783



Supply—cont.

|                                                                                                                                           | Total of<br>Vote.<br>£ |
|-------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| (31.) † £4,867, General Register Office                                                                                                   | 7,617                  |
| (32.) † £4,046, Lunacy Commission<br>Comm. R.P.                                                                                           |                        |
| COMMITTEE July 22—REPORT July 25                                                                                                          |                        |
| Question again proposed, "That a sum,<br>not exceeding £4,046, &c."                                                                       |                        |
| Moved, "That a sum, not exceeding<br>£2,546, &c." (Mr. M'Laren); after<br>short debate, Motion negatived; Vote<br>agreed to ... [203] 803 |                        |
| (33.) † £11,073, Poor Law Commission                                                                                                      | 6,046                  |
| After short debate, Vote agreed to<br>[203] 805                                                                                           | 17,703                 |

COMMITTEE July 25—REPORT July 27

IRELAND :

|                                                                                                                                              |        |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (34.) † £4,231, Lord Lieutenant's<br>Household ... [203] 921                                                                                 | 6,231  |
| Moved, "That a sum, not exceeding<br>£4,231, be granted, &c."                                                                                |        |
| Moved, "That the Item of £1,562, for<br>Queen's Plates, be omitted" (Mr.<br>Rylands); after debate, A. 61, N. 81 ;<br>M. 20 ; Vote agreed to |        |
| (35.) † £17,746, Chief Secretary's Office                                                                                                    | 26,496 |
| Moved, "That a sum, not exceeding<br>£17,746, be granted, &c." [203] 923                                                                     |        |
| Moved, "That the Chairman do report<br>Progress" (Sir James Elphinstone);<br>Motion withdrawn; Vote agreed to                                |        |
| (36.) † £250, Boundary Survey ...                                                                                                            | 400    |
| (37.) † £43, Charitable Donations and<br>Bequests Office ...                                                                                 | 2,293  |
| (38.) † £13,130, General Register Office                                                                                                     | 19,880 |
| (39.) † £65,522, Poor Law Commis-<br>sion ...                                                                                                | 99,022 |
| (40.) † £2,992, Public Record Office ...                                                                                                     | 4,492  |
| (41.) † £17,730, Public Works Office...                                                                                                      | 26,480 |
| Moved, "That a sum, not exceeding<br>£17,730, be granted, &c." [203] 923                                                                     |        |
| Moved, "That a sum, not exceeding<br>£16,630, &c." (Mr. Bentinck); Mo-<br>tion withdrawn; Vote agreed to                                     |        |

Total Civil Services Class II. ... £1,707,742

CLASS III.—LAW AND JUSTICE.

COMMITTEE July 26—REPORT July 27

ENGLAND :

|                                                                                                                                                                         |         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (1.) † £29,615, Law Charges ...                                                                                                                                         | 44,615  |
| After short debate, Vote agreed to<br>[203] 990                                                                                                                         |         |
| (2.) † £120,633, Criminal Prosecu-<br>tions ... [203] 992                                                                                                               | 200,633 |
| After short debate, Vote agreed to                                                                                                                                      |         |
| (3.) † £120,331, Chancery Court ...                                                                                                                                     | 173,831 |
| (4.) † £42,315, Common Law Courts                                                                                                                                       | 62,315  |
| (5.) † £52,377, Bankruptcy Court ...                                                                                                                                    | 79,377  |
| (6.) † £353,632, County Courts                                                                                                                                          |         |
| Moved, "That a sum, not exceeding<br>£353,632, be granted, &c."                                                                                                         |         |
| Moved, "That the Item of £14,724,<br>for Travelling Expenses, be reduced<br>by £5,000" (Mr. Lusk); after de-<br>bate, Motion withdrawn; Vote<br>agreed to ... [203] 992 |         |
| (7.) † £62,020, Probate Court ...                                                                                                                                       | 91,520  |

[cont.]

Supply—cont.

|                                                              | Total of<br>Vote.<br>£ |
|--------------------------------------------------------------|------------------------|
| (8.) † £9,200, Admiralty Court Re-<br>gistry ...             | 13,200                 |
| (9.) † £3,570, Land Registry Office ...                      | 5,570                  |
| After short debate, Vote agreed to<br>[203] 996              |                        |
| (10.) † £16,899, Police Courts (London<br>and Sheerness) ... | 24,899                 |
| (11.) † £145,803, Metropolitan Police                        | 217,803                |
| After short debate, Vote agreed to<br>[203] 998              |                        |

COMMITTEE July 28—REPORT July 29

|                                                                                                                             |         |
|-----------------------------------------------------------------------------------------------------------------------------|---------|
| (12.) † £238,000, County and Borough<br>Police, Great Britain ...                                                           | 305,000 |
| (13.) † £315,627, Government Prisons,<br>England, and Transportation and<br>Convict Establishments in the Co-<br>lonies ... | 475,627 |
| (14.) † £203,880, County Prisons and<br>Reformatories, Great Britain ...                                                    | 303,880 |
| (15.) † £26,943, Broadmoor Criminal<br>Lunatic Asylum ...                                                                   | 38,943  |
| (16.) † £12,790, Miscellaneous Legal<br>Charges ...                                                                         | 18,790  |

SCOTLAND :

|                                                      |        |
|------------------------------------------------------|--------|
| (17.) † £48,533, Criminal Proceedings                | 72,533 |
| (18.) † £37,630, Courts of Law and<br>Justice ...    | 56,630 |
| (19.) † £18,001, Register House Depart-<br>ments ... | 27,501 |
| (20.) † £17,075, Prisons ...                         | 25,075 |

IRELAND :

|                                                                                                                           |         |
|---------------------------------------------------------------------------------------------------------------------------|---------|
| (21.) † £52,403, Law Charges and Cri-<br>minal Prosecutions ...                                                           | 77,903  |
| (22.) † £30,294, Court of Chancery ...                                                                                    | 45,294  |
| (23.) † £19,477, Common Law Courts                                                                                        | 28,977  |
| (24.) † £5,790, Court of Bankruptcy<br>and Insolvency ...                                                                 | 8,540   |
| (25.) † £8,997, Landed Estates Court                                                                                      | 12,997  |
| After short debate, Vote agreed to<br>[203] 1122                                                                          |         |
| (26.) † £7,421, Probate Court ...                                                                                         | 11,421  |
| (27.) † £1,340, Admiralty Court Re-<br>gistry ...                                                                         | 2,090   |
| (28.) † £10,430, Registry of Deeds ...                                                                                    | 15,180  |
| (29.) † £2,066, Registry of Judgments                                                                                     | 3,066   |
| (30.) † £65,900, Dublin Metropolitan<br>Police ... [203] 1123                                                             |         |
| Moved, "That a sum, not exceeding<br>£65,900, be granted, &c."                                                            |         |
| Moved, "That a sum, not exceeding<br>£40,900, &c." (Mr. Lusk); after<br>short debate, Motion withdrawn;<br>Vote agreed to |         |
| (31.) † £643,007, Constabulary ...                                                                                        | 913,007 |
| After short debate, Vote agreed to<br>[203] 1124                                                                          |         |
| (32.) † £32,960, Government Prisons<br>and Reformatories ...                                                              | 48,960  |
| (33.) † £28,211, County Prisons ...                                                                                       | 43,211  |
| (34.) † £3,610, Dundrum Criminal<br>Lunatic Asylum ...                                                                    | 5,610   |
| (35.) † £1,630, Four Courts Marshalsea<br>Prison ...                                                                      | 2,530   |
| (36.) † £6,070, Miscellaneous Legal<br>Charges ...                                                                        | 8,820   |

Total Civil Services Class III. ... £3,985,380

[cont.]

*Supply—cont.*

CLASS IV.—EDUCATION, SCIENCE, AND ART.

|                                                                                       | Total of<br>Vote. |
|---------------------------------------------------------------------------------------|-------------------|
| <b>COMMITTEE July 28—REPORT July 29</b>                                               |                   |
| GREAT BRITAIN :                                                                       |                   |
| (1.) † £644,721, Public Education...<br>After short debate, Vote agreed to            | 914,721           |
|                                                                                       | [203] 1126        |
| (2.) † £164,836, Science and Art Department ...<br>After short debate, Vote agreed to | 218,336           |
|                                                                                       | [203] 1187        |
| (3.) † £61,265, British Museum ...<br>After short debate, Vote agreed to              | 90,765            |
|                                                                                       | [203] 1138        |
| (4.) † £10,681, National Gallery ..                                                   | 16,181            |
| (5.) † £1,100, National Portrait Gallery ...                                          | 1,800             |

**COMMITTEE August 2—REPORT August 3**

|                                                                            |            |
|----------------------------------------------------------------------------|------------|
| (6.) † £8,450, Learned Societies ...<br>After short debate, Vote agreed to | 12,450     |
|                                                                            | [203] 1480 |

**COMMITTEE July 28—REPORT July 29**

|                                                                                                                                                                                                                                                                 |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (7.) † £6,827, University of London...<br>Moved, "That a sum, not exceeding<br>£6,827, be granted, &c." [203] 1139<br>Moved, "That a sum, not exceeding<br>£6,795, &c." ( <i>Mr. Bentinck</i> ); after<br>short debate, A. 39, N. 115; M. 76;<br>Vote agreed to | 9,577  |
| (8.) † £8,220, Endowed Schools Com-<br>mission ...                                                                                                                                                                                                              | 12,220 |
| (9.) † £12,894, Universities, &c., in<br>Scotland ...                                                                                                                                                                                                           | 18,644 |
| (10.) † £1,850, Board of Manufactures,<br>Scotland ...                                                                                                                                                                                                          | 2,100  |

**COMMITTEE August 2—REPORT August 3**

|                                                                                             |            |
|---------------------------------------------------------------------------------------------|------------|
| IRELAND :                                                                                   |            |
| (11.) † £221,172, National Education<br>(Ireland)<br>After short debate, Vote agreed to ... | 381,172    |
|                                                                                             | [203] 1481 |

**COMMITTEE July 28—REPORT July 29**

|                                                                     |            |
|---------------------------------------------------------------------|------------|
| (12.) † £425, Commissioners of Educa-<br>tion (Endowed Schools) ... | 725        |
| (13.) † £1,290, National Gallery ...                                | 1,990      |
| (14.) † £1,134, Royal Irish Academy...                              | 1,684      |
| (15.) † £2,140, Queen's University ...                              | 3,240      |
| (16.) † £2,915, Queen's Colleges ...                                | 4,265      |
| Total Civil Services Class IV. ...                                  | £1,689,870 |

CLASS V.—COLONIAL, CONSULAR, AND OTHER  
FOREIGN SERVICES.

**COMMITTEE July 29—REPORT August 1**

|                                                                             |            |
|-----------------------------------------------------------------------------|------------|
| (1.) † £153,919, Diplomatic Services<br>After short debate, Vote agreed to  | 220,919    |
|                                                                             | [203] 1222 |
| (2.) † £208,520, Consular Services...<br>After short debate, Vote agreed to | 275,520    |
|                                                                             | [203] 1240 |

*Supply—cont.*

|                                                                     | Total of<br>Vote. |
|---------------------------------------------------------------------|-------------------|
| (3.) † £38,116, Colonies, Grants in<br>Aid ... [203] 1244           | 54,116            |
| After short debate, Vote agreed to                                  |                   |
| (4.) † £2,869, Orange River Territory<br>and St. Helena ...         | 4,219             |
| (5.) † £2,930, Slave Trade, Commis-<br>sions for Suppression of ... | 4,280             |
| (6.) † £19,785, Tonnage Bounties, &c.                               | 29,785            |
| (7.) † £8,545, Emigration [203] 1246                                | 12,545            |
| After short debate, Vote agreed to                                  |                   |
| (8.) † £600, Coolie Emigration ...                                  | 950               |
| (9.) † £12,759, Treasury Chest ...                                  | 18,259            |
| Total Civil Services Class V. ...                                   | £620,593          |

CLASS VI. — SUPERANNUATION AND RETIRED  
ALLOWANCES, AND GRATUITIES FOR CHA-  
RITABLE AND OTHER SERVICES.

**COMMITTEE July 29—REPORT August 1**

|                                                                      |         |
|----------------------------------------------------------------------|---------|
| (1.) † £264,783, Superannuation and<br>Retired Allowances [203] 1247 | 399,134 |
| After short debate, Vote agreed to                                   |         |

**COMMITTEE August 2—REPORT August 3**

|                                                                                                                                                                  |        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| † £851 (Supplementary); Moved,<br>"That a sum, not exceeding £851,<br>be granted, &c." [203] 1478; after<br>short debate, A. 70, N. 52; M. 18;<br>Vote agreed to |        |
| (2.) † £31,550, Merchant Seamen's<br>Fund Pensions, &c. ...                                                                                                      | 46,550 |
| (3.) † £24,000, Relief of Distressed<br>British Seamen ...                                                                                                       | 36,000 |
| (4.) † £13,545, Hospitals and Infirma-<br>ries, Ireland ...                                                                                                      | 19,045 |
| (5.) † £4,714, Miscellaneous Charitable<br>Allowances, &c., Great Britain ...                                                                                    | 6,714  |
| (6.) † £4,324, Miscellaneous Charitable<br>Allowances, &c., Ireland ...                                                                                          | 6,324  |

Total Civil Services Class VI. ... £513,767

CLASS VII.—MISCELLANEOUS, SPECIAL, AND  
TEMPORARY OBJECTS.

**COMMITTEE July 29—REPORT August 1**

|                                                              |        |
|--------------------------------------------------------------|--------|
| (1.) † £23,090, Temporary Commis-<br>sions ...               | 34,590 |
| (2.) † £31,147, Local Dues on Ship-<br>ping ...              | 46,147 |
| (3.) † £480, Malta and Alexandria<br>Telegraph, &c. ...      | 780    |
| (4.) † £1,300, Flax Cultivation, Ire-<br>land ... [203] 1248 | 2,000  |
| After short debate, Vote agreed to                           |        |
| (5.) † £3,465, Miscellaneous Expenses                        | 5,465  |

Total Civil Services Class VII. ... £88,982

REVENUE DEPARTMENTS, 1870-71.

|                                                             |         |
|-------------------------------------------------------------|---------|
| <b>COMMITTEE July 29—REPORT August 1</b>                    | £       |
| Voto I. Customs (Salaries and Ex-<br>penses) ... [203] 1251 | 989,887 |
| After short debate, Vote agreed to                          |         |

[cont.

[cont.



| <i>Supply</i> —cont.                                                                     | Total of<br>Vote. |
|------------------------------------------------------------------------------------------|-------------------|
| Vote II. Inland Revenue (Salaries and Expenses) ... [203] 1251                           | 1,592,751         |
| After short debate, Vote agreed to                                                       |                   |
| Vote III. Post Office Services ... [203] 1253                                            | 2,376,979         |
| After short debate, Vote agreed to                                                       |                   |
| Vote IV. + £807,153, Post Office Packet Service ... [203] 1253                           | 1,107,153         |
| After short debate, Vote agreed to                                                       |                   |
| Vote V. + £270,000, Post Office Telegraph Service (Salaries and Expenses) ... [203] 1253 | 380,000           |
| After short debate, Vote agreed to                                                       |                   |
| Total Revenue Departments ...                                                            | <u>£6,426,720</u> |

COMMITTEE August 2—REPORT August 3

|                                                                                                                                                                                                                                                                           |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| VOTE OF CREDIT—WAR IN EUROPE. £                                                                                                                                                                                                                                           |                  |
| Towards defraying the expenses beyond the ordinary grants of Parliament which may be incurred in maintaining the Naval and Military services of this kingdom, including the cost of a further number of land forces of 20,000 men during the War in Europe ... [203] 1440 |                  |
| After long debate, Question put, A. 161, N. 5; M. 156; Vote agreed to ...                                                                                                                                                                                                 | <u>2,000,000</u> |

| <i>Supply</i> —cont.                                                                                                     | Total of<br>Vote. |
|--------------------------------------------------------------------------------------------------------------------------|-------------------|
| COMMITTEE July 29—REPORT August 1                                                                                        | £                 |
| EXCHEQUER BONDS:                                                                                                         |                   |
| To pay off and discharge Exchequer Bonds which will become due and payable during the year ending on 31st March 1871 ... | <u>£1,300,000</u> |

MISCELLANEOUS.

|                                                                                                                                                                                                                                            |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| COMMITTEE August 2—REPORT August 3                                                                                                                                                                                                         | £               |
| Moved, "That a sum, not exceeding £21,450, be granted for Advances during the year ending 31st March 1871 for the purchase of a site, erection of building, and other expenses for the New Courts of Justice and Offices belonging thereto |                 |
| Moved to report Progress ( <i>Mr. Selater-Booth</i> ); after debate, Motion withdrawn; Vote agreed to [203] 1466                                                                                                                           | 21,450          |
| Advances during the year ending 31st March 1871 for defraying the expenses of Greenwich Hospital and School ... [201] 1765                                                                                                                 | 133,996         |
| After short debate, Vote agreed to                                                                                                                                                                                                         | <u>£155,446</u> |

Survey of Great Britain, &c. Bill

(*Mr. Ayrton, Mr. Secretary Cardwell*)

|                                                                        |  |
|------------------------------------------------------------------------|--|
| c. Ordered; read 1 <sup>o</sup> * Mar 28 [Bill 90]                     |  |
| Read 2 <sup>o</sup> * Mar 30                                           |  |
| Committee *; Report April 4                                            |  |
| Read 3 <sup>o</sup> * April 5                                          |  |
| l. Read 1 <sup>st</sup> * ( <i>The Marquess of Lansdowne</i> ) April 8 |  |
| Read 2 <sup>nd</sup> * April 29 (No. 71)                               |  |
| Committee *; Report May 2 (No. 78)                                     |  |
| Read 3 <sup>rd</sup> * May 3                                           |  |
| Royal Assent May 12 [33 Vict. c. 13]                                   |  |

SYKES, Colonel W. H., *Aberdeen City*

|                                                                         |  |
|-------------------------------------------------------------------------|--|
| Army—Control Department, [203] 1272                                     |  |
| Ballot, 2R. [200] 55                                                    |  |
| Brown, Mr. M'Leavy, Case of, [202] 262                                  |  |
| China—Consular Etiquette, [201] 631, 810                                |  |
| Outrages upon Missionaries, [199] 1870; [200] 71, 72; [203] 872         |  |
| Corporation of London, 2R. [201] 894                                    |  |
| East India Company, Motion for an Address, [202] 1147, 1166, 1167, 1168 |  |
| East India Revenue Accounts, Comm. [203] 1613                           |  |
| Elementary Education, Consid. Schedule II, [203] 659                    |  |
| Gambia—Settlement of, Address for Papers, [203] 364                     |  |
| Gough, Viscount, Statue of, Motion for an Address, [203] 773            |  |
| India—Questions, &c.                                                    |  |
| Furlough and Retired Pay, [199] 165                                     |  |
| Hart's, Mr., Notes, [199] 998                                           |  |
| Medical Service—Examination, 1871, [203] 33                             |  |
| Pensions, [199] 763, 998                                                |  |
| Staff Corps, [199] 164                                                  |  |

SYKES, Colonel W. H.—cont.

|                                                                             |  |
|-----------------------------------------------------------------------------|--|
| Judicial Committee, Comm. [203] 1716; cl. 2, Amendt. 1719, 1720, 1721, 1722 |  |
| Municipal Boroughs (Metropolis), 2R. [201] 877                              |  |
| Navy—African Squadron, Res. [200] 846                                       |  |
| Parliament—Palace of Westminster—The Central Hall, [200] 321, 640           |  |
| Scotland—Aberdeen Post Office, [201] 1946                                   |  |
| Storm Warnings, [203] 1574                                                  |  |
| Supply—Embassies and Missions Abroad, [203] 1224, 1227                      |  |
| Foreign Office, [202] 395                                                   |  |
| Harbours under Board of Trade, [203] 1474                                   |  |
| Home Department, [202] 391                                                  |  |
| Learned Societies, [203] 1480                                               |  |
| New Courts of Justice, [203] 1467                                           |  |
| Offices of the House of Commons, [202] 388                                  |  |
| Offices of the House of Lords, [202] 385                                    |  |
| Privy Council Office, [202] 399                                             |  |
| Vaccination Act Amendment, 2R. [202] 1591                                   |  |
| Women's Disabilities, 2R. [201] 208, 228                                    |  |

SYNAN, Mr. E. J., *Limerick Co.*

|                                                                                                                                                      |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Conventual and Monastic Institutions, Motion for a Committee, [200] 1597, 2030; [201] 81, 534                                                        |  |
| County Coroners (Ireland), 2R. [201] 550                                                                                                             |  |
| Education of the Blind, &c. 2R. [201] 249                                                                                                            |  |
| Ireland—Grand Jury Laws, [199] 799                                                                                                                   |  |
| Local Taxation, [199] 799                                                                                                                            |  |
| Ireland—Shannon Navigation [Grant], Comm. [203] 1041                                                                                                 |  |
| 200] Irish Land, Comm. cl. 1, 750, 770, 781, 787, cl. 2, 1036; cl. 3, 1060, 1068, 1331; Amendt. 1435, 1454, 1457, 1992, 1995, 1999, 2001, 2017, 2018 |  |

SYNAN, Mr. E. J.—*cont.*

- 201] Amendt. 8, 12, 28, 42, 287; *cl.* 4, 291, 296;  
 . Amendt. 315; Amendt. 320; *cl.* 6, 396; *cl.* 8,  
 399, 405, 410; *cl.* 11, 412, 413, 414, 415;  
*cl.* 12, 418, 419; *cl.* 17, 578; *cl.* 19, 590,  
 . 593; *cl.* 24, Amendt. 598, 600; Amendt. 601,  
 . 602; *cl.* 37, 607; *cl.* 39, Amendt. 745; *add.*  
 : *cl.* Amendt. 774, 777, 1006; Consid. *add.* *cl.*  
 . 1418; Amendt. 1419, 1431, 1436  
 203] Lords Amendments. 122, 126, 134, 135, 661, 665  
 Life Assurance Companies, Comm. *cl.* 3, [202]  
 Amendt. 1170, 1172; *cl.* 7, 1179; *cl.* 13,  
 Amendt. 1186  
 200] Peace Preservation (Ireland), 2R. 370;  
 . Comm. *cl.* 7, 580; *cl.* 13, 584; Amendt. 593;  
 . *cl.* 27, Amendt. 604; *cl.* 37, 689; *cl.* 38, 695;  
 . Consid. *cl.* 33, 708, 709, 710; *cl.* 39, Amendt.  
 . 173

TALBOT DE MALAHIDE, Lord

- Cattle Disease (Ireland), 3R. [203] 237  
 Ireland—National Parliament, [201] 1  
 Ireland—Records, Motion for Papers, [201] 270  
 Irish Land, Comm. *cl.* 3, [202] 867  
 Medical Act Amendment, 2R. [201] 261

TALBOT, Hon. Captain R. A. J., *Stafford Bo.*

- Army—Strength of the, [203] 1100  
 University Tests, Consid. [202] 1897

TALBOT, Mr. J. G., *Kent, W.*

- Army—British, Strength of the, [203] 1274  
 Belgium—Neutrality of, [203] 1741, 1743  
 Benefices, 2R. [201] 545  
 Census, 2R. [203] 817  
 Conventual and Monastic Institutions, Motion  
 for a Committee, [200] 2030; Nomination of  
 Committee, [201] 79, 529  
 Customs and Inland Revenue, Comm. *cl.* 6,  
 [201] 1802  
 Elementary Education, Comm. *cl.* 7, [202]  
 1037, 1040; *cl.* 33, 1486; *cl.* 82, Motion  
 for reporting Progress, [203] 93; *add.* *cl.*  
 95; Consid. 490; *cl.* 26, Amendt. 496  
 Emigration, Res. [199] 1031  
 Marriage with a Deceased Wife's Sister, Comm.  
*cl.* 1, Amendt. [200] 1968  
 Poor Law—Distress in London, [199] 327  
 Sunday Trading, 2R. [202] 1580; Comm. [203]  
 1492, 1494  
 Supply—Police Courts (London and Sheerness),  
 [203] 1000  
 University Tests, Comm. *cl.* 3, Amendt. [201]  
 1966; Preamble, 1981; Consid. [202] 1388  
 Westminster Union—Employment of Paupers,  
 [199] 1736

TAYLOR, Right Hon. Lt.-Colonel T. E.,  
*Dublin Co.*

- Customs, Salaries to Clerks in the, [201] 574  
 Ireland—Meath Grand Jury, [199] 1482

TAYLOR, Mr. P. A., *Leicester*

- Army—Volunteer Commissions, [202] 1083  
 Army—Evesham Rifle Corps, Res. [203] 785,  
 789, 792  
 Criminal Law—Imprisonment of a child for  
 fishing, [203] 244  
 Townshend, Case of Joseph, "An Incorri-  
 gible Rogue," [203] 733

TAYLOR, Mr. P. A.—*cont.*

- Educational Boards, Women on, [202] 259  
 Elementary Education, 2R. [199] 1953  
 Game Laws Abolition, 2R. [201] 1384; [203]  
 569  
 Gun Licences, Comm. Amendt. [202] 852; 3R.  
 [203] 765  
 \*Members of Parliament Payment, Leave, [200]  
 1334  
 New Forest, The, [203] 1690  
 Parliament—Progress of Public Business, [200]  
 1719  
 South Sea Islanders, [199] 527, 528, 876  
 Sunday Trading, 2R. Amendt. [202] 1575;  
 Comm. [203] 1492  
 Supply—Offices of the House of Commons, [202]  
 339  
 Ways and Means, Report, Res. 7, [200] 1725

*Tea, Adulterated*

- Question, Mr. Stapleton; Answer, Mr. Shaw  
 Lefevre Mar 11, [199] 1735

Telegraph Acts Extension Bill

(*The Marquess of Hartington, Mr. Chancellor of  
 the Exchequer, Mr. Stansfeld*)

- c. Ordered; read 1<sup>o</sup> \* May 25 [Bill 142]  
 Read 2<sup>o</sup> \*, and referred to a Select Committee  
 June 10  
 And, on June 20, Committee nominated as fol-  
 lows:—The Marquess of Hartington (Chair-  
 man), Sir Stafford Northcote  
 Mr. Hurst, Mr. J. D. Lewis, Mr. Muntz, Mr.  
 Neville-Grenville, and Sir Lawrence Palk,  
 nominated by the Committee of Selection  
 Report of Select Committee July 5 (No. 336)  
 Committee \*; Report July 11 [Bill 196]  
 Read 3<sup>o</sup> \* July 12  
 l. Read 1<sup>o</sup> \* (*The Marquess of Lansdowne*)  
 July 14 (No. 206)  
 Read 2<sup>o</sup> \*, and committed: the Committee to  
 be proposed by the Committee of Selection  
 July 19  
 Committee nominated July 21—E. Stradbroke  
 (Chairman), V. Melville, L. Suffolk, L.  
 Fitzwalter, and L. Kildare  
 Report of Select Committee July 28  
 Committee \* July 29  
 Report \* August 1  
 Read 3<sup>o</sup> \* August 4  
 Royal Assent August 9 [33 & 34 Vict. c. 88]

TEMPLEMORE, Viscount

- Irish Land, Comm. *cl.* 3, [202] 867

*Thames Navigation*

- Select Committee appointed and nominated as  
 follows:—Mr. Ayrton (Chairman), Mr. Gold-  
 ney, Mr. Ward Jackson, Mr. Locke, Mr.  
 Morley, Sir Thomas Bazley, Mr. Thomas  
 Brassey (Hastings), Mr. Hanbury-Tracy, Mr.  
 Meyrick, and Mr. O'Neill  
 Letter on withdrawal of clauses P. P. 183

THYNNE, Lord H. F., *Wiltshire, S.*

- Irish Land, Comm. *cl.* 3, [200] 2018

TILLET, Mr.

- Game Laws Abolition, 2R. [203] 556



*Tipperary Election—Jeremiah O'Donovan Rossa*

Copy of the Record of the Conviction and of the Judgment in the case of the Queen against Jeremiah O'Donovan Rossa, at Dublin, 27th November, 1865, read *Parl. P. 3*

Moved, "That Jeremiah O'Donovan Rossa, returned as Knight of the Shire for the County of Tipperary, having been adjudged guilty of felony, and sentenced to penal servitude for life, and being now imprisoned under such sentence, has become and continues incapable of being elected or returned as a Member of this House" (*Mr. Gladstone*) Feb 10, [199] 122

Amendt. to leave out from "That" and add "a Committee be appointed to examine into the precedents and the law of Parliament in this case, and report to the House on the steps that ought to be taken under such circumstances" (*Mr. Moore*), 127; after debate, Question put, "That the words, &c.;" A. 301, N. 8; M. 293; main Question put, and agreed to

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown, in Ireland, to make out a new Writ for the electing of a Knight of the Shire to serve in this present Parliament for the County of Tipperary, in the room of Jeremiah O'Donovan Rossa, adjudged and sentenced to penal servitude for life, and being now imprisoned under such sentence

*Alleged Corporal Punishment of*, Question, Captain White; Answer, Mr. Bruce Feb 18, [199] 533

*TIPPING, Mr. W., Stockport*

Burials, 2R. [200] 531

Irish Land, Comm. cl. 41, [201] 769

Palace of Westminster—Drawings of Mr. Barry, [200] 988

University Tests, Comm. cl. 3, [201] 1957, 1958

*TITE, Sir W., Bath*

Metropolis—Thames Embankment, [202] 1458  
Municipal Boroughs (Metropolis), 2R. [201] 874  
National Gallery, &c.—Evening Admission, Res. [201] 347

National Gallery, Motion for Correspondence, [201] 1087

Palace of Westminster—Case of Mr. Edward Barry, Res. [201] 711

*TORRENS, Mr. R. R., Cambridge Bo.*

Army—18th Regiment, [200] 1728

Army—Kirwee Prize Money, Motion for an Address, [201] 1542

Ballot, 2R. [200] 46, 53

Canada—Red River Expedition, [200] 1816

Colonies, Motion for a Committee, [200] 1817, 1905, 1906

Elementary Education, Comm. Schedule II, [203] 305

Emigration, Res. [199] 1002, 1076

Ireland—Trinity College, Dublin, Res. Motion for Adjournment, [200] 1146

Irish Land, Comm. cl. 3, [200] 1489; cl. 4, Amendt. [201] 319; cl. 5, 334; cl. 41, Amendt. 752, 760

*TORRENS, Mr. W. M., Finsbury*

Ealing Local Board, [199] 1625

Elementary Education, Comm. cl. 27, Amendt.

[202] 1419; cl. 29, 1477; add. cl. [203] 95

Emigration, Res. [199] 1059, 1062, 1063

Extradition, 2R. [202] 304; Comm. cl. 3, 1425

Irish Land, Comm. cl. 22, Amendt. [201] 597;

cl. 24, Amendt. 602, 603; add. cl. 1257

Metropolis—Destitution in the, [199] 1842

Highbury Barn and the Police, [199] 326

New Romney, [200] 833

Parliament—Order, Irregularity of Motion, [201] 824

Peace Preservation (Ireland), Comm. cl. 13,

[200] 587; cl. 27, 628

Poor Relief (Metropolis), Leave, [199] 578;

2R. [200] 1773; Comm. cl. 1, 2136

Unemployed Labour,\* Res. [202] 407; [203] 1285

United States—"Alabama" Claims, [203] 951

*TOWNSHEND, Marquess of*

Children, &c. Protection, 2R. [202] 1593

Contagious Diseases Prevention (Metropolis),

2R. [203] 96, 97

Metropolitan Regulations, 2R. [202] 1595

*TRACY, Hon. C. R. D. HANBURY-Montgomery, &c.*

Army—Employment of Soldiers, [199] 885; [203] 642

Soldiers and the Telegraphs, [199] 530

Whitworth Guns, [199] 1154; [201] 395

Campbell's, Lord, Act, [199] 691

Farm Horses, Licences on, [201] 1273

Navy—Pensions for Flag Officers, [201] 969

Navy—Naval Retirement, Res. [200] 158, 573

Railway Companies, Motion for a Committee, [200] 1910

Ships "Bombay" and "Oneida," Res. [202] 1513, 1545

*Trades' Societies—Legislation*

Question, Mr. T. Hughes; Answer, Mr. Bruce Feb 24, [199] 767

*Trades Unions*

Question, Mr. Melly; Answer, Mr. Bruce June 14, [202] 99

*Trades Union Bill*

Question, Mr. Anderson; Answer, Mr. Bruce August 4, [203] 1520

*Tramways Bill*

(*Mr. Shaw Lefevre, Mr. Stansfeld, Mr. Ayrton*)  
c. Motion for Leave (*Mr. Shaw Lefevre*) Mar 1,

[199] 1080; Bill ordered, after short debate; read 1<sup>st</sup> [Bill 54]

Read 2<sup>nd</sup>,\* and referred to a Select Committee Mar 7

Moved, "That the Select Committee do consist of nine Members" (*Mr. Shaw Lefevre*) Mar 14, 1958; after short debate, Committee nominated as follows:—Mr. Shaw Lefevre (Chairman), Mr. Ayrton, Mr. Cawley, Mr. Dent, Lord George Hamilton, Mr. Hibbert, Mr. Loch, Colonel Wilson Patten, Mr. Selater-Booth; Mar 29, Mr. Dalglish added

[cont.]

*Tramways Bill*—cont.

Report of Select Comm. *April 29*—P. P. 205  
Re-comm. \* *May 10* [Bill 113]  
Considered \* *May 13*  
Read 3<sup>o</sup> \* *May 19*

*l.* Read 1<sup>st</sup> \* (*The Lord Privy Seal*) *May 20*

After short debate, Bill read 2<sup>o</sup>, and referred to a Select Comm. *May 30*, [201] 1590 (No. 107)  
And, on *June 13*, the Lords following were named of the Committee:—*Ld. Privy Seal*, D. Cleveland, M. Salisbury, E. Kellie, E. Airlie, E. Graham, E. Cadogan, E. Morley, V. Eversley, *Ld. Steward*, L. Saltoun, L. Redesdale, L. Silchester, L. Belper, and L. Lyeden

Report of Select Committee *July 8* (No. 193)  
Report \* *July 8* (No. 194)  
Committee, after short debate *July 14*, [203] 232 (No. 204)  
Report \* *July 21* (No. 226)  
Read 3<sup>rd</sup> \* *July 22*

*c.* Lords Amendts. considered *August 3*, 1489

[Bill 239]  
After short debate, Amendts. read 2<sup>o</sup>; several agreed to; several amended, and agreed to; several disagreed to  
Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendts. to which this House hath disagreed"  
Reasons for disagreeing to Lords Amendts. reported, and agreed to

Commons' Amendts. *l.* (No. 200)  
Royal Assent *August 9* [33 & 34 *Vict.* c. 78]

**Transfer of Land Bill** [H.L.]

(*The Lord Chancellor*)

*l.* Presented; read 1<sup>st</sup> \* *Mar 18* (No. 41)

*Transvaal Republic and Orange Free State*

Observations, Mr. R. N. Fowler; Reply, Mr. Monsell; short debate thereon *July 25*, [203] 899

*Treasury—Salary of the First Lord*

Observations, Mr. Lambert *July 22*, [203] 784

*Treaties of 1815—Reprint of*

Question, Mr. T. B. Potter; Answer, Mr. Otway *August 4*, [203] 1527

**TRELAWNY, Sir J. G. S., Cornwall, E.**

Attorneys and Solicitors Remuneration, Comm. *cl.* 7, [200] 1423  
National Gallery, &c.—Evening Admission, Res. [201] 840  
Poaching Prevention Act Repeal, 2R. [202] 1572  
Royal Forests, [199] 824

**TREVELYAN, Mr. G. O. (Lord of the Admiralty), Harwick, &c.**

Elementary Education, Comm. *cl.* 82, [203] 75, 88  
Navy—Chatham, &c. Dockyards, Motion for a Committee, [201] 1732, 1735

*Truck Acts*

Question, Sir David Wedderburn; Answer, Mr. Bruce *April 28*, [200] 1964

Moved, "That, public representations having been made to the effect that systematic evasion of the Truck Acts prevails extensively in the Coal and Iron mining industries in Scotland, as well as in other trades and places in the United Kingdom, this House humbly prays Her Majesty to appoint a Commission of Inquiry into such alleged offences, and to take such steps as She shall be advised for obtaining from Parliament any special powers that may be required for conducting such inquiry or for suppressing such offences" (*Mr. Mundella*) *July 12*, [203] 137; after debate, Motion withdrawn

Question, Sir David Wedderburn; Answer, Mr. Bruce *July 28*, 1099

**Truck Acts Bill**

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)

*c.* Ordered; read 1<sup>o</sup> \* *July 29* [Bill 252]

Read 2<sup>o</sup> \* *August 1*  
Committee \*; Report *August 4*  
Committee \* (*on re-comm.*); Report; Considered; read 3<sup>o</sup> *August 5*

*l.* Read 1<sup>st</sup> \* (*The Earl of Morley*) *August 6*

Read 2<sup>nd</sup> \*; Committee negatived *August 8*  
Read 3<sup>rd</sup> \* *August 9* (No. 304)  
Royal Assent *August 10* [33 & 34 *Vict.* c. 105]

*Turkey*

*Fire at Constantinople, The*, Question, Mr. Rylands; Answer, Mr. Otway *June 13*, [201] 1947; *June 20*, [202] 493; Question, Mr. A. Seymour; Answer, The Chancellor of the Exchequer *July 7*, 1622

*British Embassy House, The*, Question, Mr. Rylands; Answer, Mr. Stansfeld *June 16*, [202] 262; Question, Mr. Monk; Answer, Mr. Stansfeld *July 29*, [203] 1196; *August 1*, 1281 Papers respecting *Parl. P.* [160]

*Christian Population of the Sporades*, Question, Sir David Wedderburn; Answer, Mr. Otway *April 4*, [200] 1169

*Report of International Commission on Consular Jurisdiction*, Question, Viscount Sandon; Answer, Mr. Otway *Feb 24*, [199] 771  
*Parl. P.* 186

**TURNER, Mr. C., Lancashire, S. W.**

Life Assurance Companies, Comm. *cl.* 7, [202] 1177, 1179; *cl.* 11, 1182  
Pilottage, Compulsory, [203] 736

*Turnpike Accounts*

Question, Mr. Hardcastle; Answer, Mr. Knatchbull-Hugessen *Feb 18*, [199] 530

*Turnpike Acts Continuance*

Amendt. on Committee of Supply *Feb 18*, To leave out from "That" and add "there be laid before this House, a Copy of any Correspondence or other Documents explanatory of the necessity for the annual Turnpike Acts Continuance Bill, either generally as to all expired Turnpike Acts, or specially as to those relating to the Wrexham District" (*Mr. Whalley*), [199] 551; Question proposed, "That the words, &c.," after short debate, Amendt. withdrawn



**Turnpike Acts Continuance, &c. Bill**

(Mr. Knatchbull-Hugessen, Mr. Secretary Bruce)

- c. Ordered; read 1<sup>st</sup> May 11 [Bill 125]  
 Read 2<sup>nd</sup> May 23  
 Committee\*; Report July 25  
 Considered\* July 26  
 Read 3<sup>rd</sup> July 27  
 l. Read 1<sup>st</sup>\* (The Earl of Morley) July 28  
 Read 2<sup>nd</sup>\* August 1 (No. 252)  
 Committee\* August 4 (No. 292)  
 Report\* August 5 (No. 300)  
 Read 3<sup>rd</sup>\* August 6  
 Royal Assent August 9 [33 & 34 Vict. c. 73]

**Turnpike Roads**

- Question, Lord George Cavendish; Answer, Mr. Bruce Mar 24, [200] 572  
 Resolution moved (Sir George Jenkinson) Mar 29, [200] 858; after short debate, Motion withdrawn  
 Resolved, "That, in the opinion of this House, the present system of providing the cost of maintaining the Turnpike Roads of which the Trusts have expired is unjust, and inflicts great hardship on particular parishes, and in all such cases where tolls have been or may hereafter be abolished, the area from which the cost of maintaining such Roads is levied ought to be extended, and should not be limited to those parishes only through which such Roads actually pass" (Sir George Jenkinson)

**Turnpike Tolls**

- Question, Mr. Whalley; Answer, Mr. Knatchbull-Hugessen Feb 11, [199] 174

**Turnpike Trusts**

- Questions, Lord George Cavendish, Sir George Jenkinson; Answers, Mr. Bruce July 7, [202] 1618

**Turnpike Trusts Arrangements Bill**

(Mr. Knatchbull-Hugessen, Mr. Secretary Bruce)

- c. Ordered; read 1<sup>st</sup>\* May 18 [Bill 129]  
 Read 2<sup>nd</sup>\* May 26  
 Committee\*; Report May 30  
 Read 3<sup>rd</sup>\* May 31  
 l. Read 1<sup>st</sup>\* (The Earl of Morley) June 13  
 Read 2<sup>nd</sup>\* June 24 (No. 132)  
 Committee\*; Report June 27  
 Read 3<sup>rd</sup>\* June 28  
 Royal Assent July 4 [33 & 34 Vict. c. 22]

**Turnpikes, Abolition of**

- Question, Sir George Jenkinson; Answer, Mr. Knatchbull-Hugessen Feb 21, [199] 592

**Unemployed Labour**

- Amend. on Committee of Supply June 17, To leave out from "That" and add "the continued want of employment among those who live by waged labour in many of the great Towns of the Kingdom calls for the special consideration of this House, with a view to the means that may best be devised for the remedy of the same without delay" (Mr. W. M. Torrens); [202] 407; Question proposed, "That the words, &c.," after long debate, Debate adjourned

[cont.]

**Unemployed Labour—cont.**

- Debate resumed June 23, 850; after further debate, Amendt. withdrawn  
 Question, Mr. W. H. Smith; Answer, Mr. W. M. Torrens August 1, [203] 1285

**Union of Benefices Amendment (1870)**

Bill [H.L.] (The Lord Bishop of Winchester)

- l. Presented; read 1<sup>st</sup>\* May 27 (No. 118)  
 Read 2<sup>nd</sup>\* June 14, [201] 1  
 Committee\* June 16 (No. 140)  
 Report\* June 17  
 Read 3<sup>rd</sup>\* June 20

**United States**

- Alabama Claims, The*, Question, Mr. Gourley; Answer, Mr. Otway Feb 14, [199] 240; Question, Mr. W. M. Torrens; Answer, Mr. Gladstone July 26, [203] 951  
*Canada, Dominion of—Massacre of Indians in Montana*, Question, Mr. R. N. Fowler; Answer, Mr. Otway Feb 24, [199] 767  
*Extradition, Further Treaty*, Question, Mr. Stapleton; Answer, Mr. Otway August 9, [203] 1733  
*Naturalization Convention—P.P.* [192]  
*Postal Communication with*, Question, Sir John Ogilvy; Answer, The Marquess of Hartington Mar 28, [200] 726; Question, Mr. Baines; Answer, The Marquess of Hartington July 4, [202] 1357  
*St. Juan, Island of*, Question, Viscount Milton; Answer, Mr. Otway Mar 4, [199] 1238  
*Shooting of Captain Speer*, Question, Mr. Cubitt; Answer, Mr. Otway May 2, [201] 4  
*Water Boundary*, Question, Viscount Milton; Answer, Mr. Otway Mar 11, [199] 1738  
 [See title *Post Office*]

**Universities, The**

- "Privileged Students" at Oxford, Question, Mr. Reed; Answer, Mr. Gladstone Mar 11, [199] 1734  
*University Tests*, Question, Mr. Vernon Harcourt; Answer, Mr. Gladstone Feb 21, [199] 591; Question, Mr. Fawcett; Answer, Mr. Gladstone Mar 3, 1146

**University Tests Bill—Formerly }  
Religious Tests Bill }**

(Mr. Dodson, Mr. Solicitor General, Mr. William Edward Forster)

- c. Acts considered in Committee; after debate, Bill ordered; read 1<sup>st</sup>\* April 25 [Bill 105]  
 201 Moved, "That the Bill be now read 2<sup>nd</sup>" May 23, 1192  
 Amendt. to leave out "now," and add "upon this day six months" (Mr. Spencer Walpole); after long debate, Question put, "That 'now,' &c.;" A. 191, N. 66; M. 125; main Question put, and agreed to; Bill read 2<sup>nd</sup>  
 . Committee; Report June 13, 1947  
 202 Considered July 4, 1372  
 . Moved, "That the Bill be now read 3<sup>rd</sup>" July 5, 1460  
 Amendt. to leave out "now" and add "upon this day three months" (Mr. Greene); after long debate, Question put, "That 'now' &c.;" A. 247, N. 113; M. 134; main Question put, and agreed to; Bill read 3<sup>rd</sup>

[cont.]

*University Tests Bill*—cont.

l. Read 1<sup>st</sup> \* (*The Lord President*) July 5 (No. 182)  
203] Moved, "That the Bill be now read 2<sup>d</sup>"  
July 14, 196

Amend. to leave out from ("that,") and insert the following Resolution, viz.:—"In any measure for enabling persons not members of the Church of England to hold offices to which they are not now eligible in the Universities of Oxford, Cambridge, and Durham, and the Colleges and Halls in those Universities, it is essential to provide by law proper safeguards for the maintenance of religious instruction and worship and for the religious character of the education to be given therein" (*The Marquess of Salisbury*); after debate, on Question, "That the words, &c.," Cont. 88, Not-Cont. 97; M. 14; resolved in the negative

. Division List, Cont. and Not-Cont. 226  
The said words inserted

Moved, "That a Select Committee be appointed for the purpose of inquiring into the best mode of giving effect to the foregoing Resolution;" after further short debate, on Question? Cont. 95, Not-Cont. 79; M. 16; resolved in the affirmative

And, on July 21, the Lords following were named of the Committee:—Abp. York, Ld. President, D. Somerset, D. Marlborough, M. Salisbury, E. Cowper, E. Stanhope, E. Carnarvon, E. Powis, E. Harrowby, E. Morley, E. Beauchamp, Bp. Gloucester and Bristol, L. Colchester, L. Stanley of Alderley, L. Lyveden, and L. Houghton; July 22, The Lord Rosebery added

Report of Select Comm. July 28 (No. 238)

c. Question, Lord Edmond Fitzmaurice; Answer, Mr. Gladstone July 18, 410; Question, Mr. Sartoris; Answer, Mr. Gladstone July 25, 876

**Vaccination Act (1867) Amendment Bill**  
(*Mr. Candlish, Mr. Serjeant Simon*)

c. Ordered; read 1<sup>st</sup> \* May 12 [Bill 126]  
Moved, "That the Bill be now read 2<sup>nd</sup>"  
May 27, [201] 1560; after short debate, Question put; A. 18, N. 8; M. 10  
Adjourned Debate May 31; Debate adjourned  
Bill withdrawn, after debate July 6, [202] 1584

**Valuation of Lands and Assessments (Scotland) Bill**

(*The Lord Advocate, Mr. Adam*)

c. Ordered; read 1<sup>st</sup> \* April 11 [Bill 102]  
Read 2<sup>nd</sup> \*, and referred to a Select Committee  
May 12

And, on May 18, Committee nominated as follows:—The Lord Advocate (Chairman), Colonel Barttelot, Marquess of Bowmont, Sir Hervey Bruce, Sir Edward Colebrooke, Mr. Dalglish, Mr. Charles Dalrymple, Mr. Crum-Ewing, Mr. Orr-Ewing, Mr. Finnie, Lord Garlies, Mr. Grieve, Mr. John Hamilton, Mr. Holms, Mr. Mackintosh, Mr. McLagan, Mr. Matheson, Mr. Miller, and Sir Graham Montgomery

Report of Select Comm. June 24 P.P. 294  
Bill withdrawn \* July 4 [Bill 179]

**VANCE, Mr. J., *Armagh City***

County Coroners (Ireland), 2R. [201] 548, 559  
Elementary Education, Comm. Schedule II,  
Motion for reporting Progress, [203] 314  
France—Commercial Treaty, [200] 1727  
Glebe Loans (Ireland), 2R. [203] 975  
Ireland—Commander-in-Chief in, [203] 248  
Dublin City Writ, [203] 1772  
Irish Land, Consid. [201] 1413  
Party Processions (Ireland), 2R. [200] 951  
Processions (Ireland), 2R. [202] 1690

**VANDELEUR, Colonel C. M., *Clare Co.***

Irish Land, Comm. cl. 3, [200] 1061  
Peace Preservation (Ireland), Comm. cl. 37,  
[200] 691

**VAUX OF HARROWDEN, Lord**

Irish Land, Comm. add. cl. [202] 1059

**Venezuela—Prussian and American Claims**

Question, Mr. Eastwick; Answer, Mr. Otway  
July 21, [203] 636

**Venus, Transit of (1874)**

Her Majesty's Answer to the Address [7th  
August 1869] reported Feb 14, [199] 322

**VERNER, Mr. W., *Armagh Co.***

Party Processions (Ireland), 2R. [200] 957  
Processions (Ireland), 2R. [202] 1691

**VERNEY, Sir H., *Buckingham***

Army—Export of Horses, [203] 1579  
Army—Kiwree Prize Money, Motion for an  
Address, [201] 1536  
Army Enlistment, 2R. [201] 783  
Army Estimates—Militia, [201] 1833  
Canada—Red River Settlement, [199] 118  
Disturbances at, [201] 1094  
Elementary Education, Comm. [202] 1481;  
cl. 62, 1715  
Emigration, Res. [199] 1050  
Male Servant Duty, [199] 1962  
Metropolis—Hyde Park, [200] 1505  
Supply—Education, Public, [203] 1132

**Vestries (Isle of Man Bill**

(*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)

c. Ordered; read 1<sup>st</sup> \* July 6 [Bill 198]

Read 2<sup>nd</sup> \* July 11  
Committee\*; Report July 18  
Read 3<sup>rd</sup> \* July 19

l. Read 1<sup>st</sup> \* (*The Earl of Morley*) July 21  
Read 2<sup>nd</sup> \* August 1 (No. 232)

Committee\*; Report August 2  
Read 3<sup>rd</sup> \* August 4  
Royal Assent August 9 [33 & 34 Vict. c. 51]

**Virgin Islands, Cession of, to Spain**

Question, Sir William Galloway; Answer, Mr.  
Monsell July 14, [203] 240



VIVIAN, Hon. Captain J. C. W. (Lord of the Treasury), *Truro*  
Army—Questions, &c.

Artillery and Engineers—Retirement, [203] 735

Beards in the, [199] 993, 1367

Cadets at Woolwich, [199] 801

Examinations for Woolwich, [199] 798

Guards, Brigade of, [199] 999

Irish Militia, [199] 176

Military Resources, [203] 1440

Non-Purchase Corps from India, [199] 1001

Quartermasters of Militia, [199] 1481

Soldiers and the Telegraphs, [199] 530

Troops at Aldershot, [199] 995

Volunteers—Capitation Grant, [203] 735; —  
Rifles for, [199] 800

Whitworth Gun, The, [201] 395

Woolwich Arsenal, [199] 999

Army—Artillery and Rifles, Motion for Returns, [203] 1727

Army—India, Horse Artillery in, Res. [201] 1827

Army Enlistment, 2R. [201] 790; Comm. cl. 4, [203] 458, 459, 461; Consid. 697

Army Estimates—Chelsea and Kilmainham Hospitals, [203] 1215

Land Forces, [199] 1207, 432

Vote of Credit, [203] 1458

VIVIAN, Mr. H. Hussey, *Glamorganshire*

Army Estimates—Warlike Stores, [203] 422

Coal for the Navy, [203] 1199

Coals, Export of, to Belligerents, [203] 1094

Contagious Diseases Acts Repeal, Leave, [203] 590

Mines Regulation, &c. 2R. [199] 634

Navy Estimates—Men and Boys, [199] 989

Stamps upon Leases, [199] 843

Wages Arrestment Limitation (Scotland)

Bill (Mr. Anderson, Mr. Gordon, Mr. Miller, Mr. Armitstead)

c. Ordered; read 1<sup>o</sup> \* Mar 9 [Bill 69]

Read 2<sup>o</sup> \* Mar 23

Committee \*; Report April 27

Considered \* May 26 [Bill 118]

Considered \* June 21

Considered \* July 6

Read 3<sup>o</sup> \* July 7

l. Read 1<sup>a</sup> \* (Earl of Airlie) July 8 (No. 192)

Read 2<sup>a</sup> \* July 21

Committee \* July 26

Report \* July 28

Read 3<sup>a</sup> \* July 29

Royal Assent August 9 [33 & 34 Vict. c. 63]

Wages Attachment Abolition Bill

(Mr. Stevenson, Mr. Candlish, Mr. Mundella)

c. Ordered; read 1<sup>o</sup> \* May 20 [Bill 131]

Read 2<sup>o</sup> \* May 26

Committee \*; Report June 13

Read 3<sup>o</sup> \* June 14

l. Read 1<sup>a</sup> \* (The Earl of Lichfield) June 16

Read 2<sup>a</sup> \* July 5 (No. 141)

Committee \*; Report July 7

Read 3<sup>a</sup> \* July 8

Royal Assent July 14 [33 & 34 Vict. c. 30]

Wales—Wastes of Manors

Question, Mr. Walsh; Answer, Mr. Stansfeld  
June 9, [201] 1767

WALKER, Major G. G., *Dumfriesshire*

Army—Expenses of Officers, [199] 1739

Army Enlistment, 2R. [201] 787

Army Estimates—Land Forces, [199] 1201

Canada—Volunteers, [203] 247

Channel Passage between England and France,  
Res. [201] 821

Gun Licences, Comm. cl. 3, [202] 855

Parliament—Sittings of the House, Res. [202] 711

Public Schools, Motion for an Address, Motion  
for Adjournment, [201] 190

WALPOLE, Hon. F., *Norfolk, N.*

Bridgwater Election, [199] 803

Norwich Voters Disfranchisement, 2R. Amendt.  
[200] 1806

WALPOLE, Right Hon. Spencer H., *Cambridge University*

British Museum—Duplicate Works in, [201]  
Engravings of Marco Antonio, [201] 327

Burials, 2R. [200] 560

Clerical Disabilities, Leave, [199] 870; 2R. 737  
[201] 1371

Conventual and Monastic Institutions, Nomination of Committee, [201] 73

Irish Land, Comm. cl. 1, [200] 1010; cl. 2, 1034, 1045, 1053; cl. 3, 1059; cl. 4, [201] 320, 321; cl. 12, 418, 419; cl. 14, 425

Marriage with a Deceased Wife's Sister, Comm. Amendt. [200] 1915

Metropolis—Thames Embankment, Motion for an Address, [202] 1780

National Gallery, &c.—Evening Admission, Res. [201] 334

Peace Preservation (Ireland), Comm. cl. 13, [200] 585

Religious Tests, Leave, [200] 1813

Supply—British Museum, [203] 1138

County Courts, [203] 995

University Tests, 2R. Amendt. [201] 1199, 1228; Comm. cl. 5, 1978

WALSH, Hon. A., *Radnorshire*

Army—India, Horse Artillery in, Res. [201] 1826

Wales—Wastes of Manor in, [201] 1767

WALTER, Mr. J., *Berkshire*

Burials, 2R. [200] 555

199] Elementary Education, Leave, 490

202] Comm. Motion for Adjournment, 849, 850, 908; cl. 5, Amendt. 1008, 1012, 1018; cl. 10, 1224, 1228, 1230; cl. 32, 1481; cl. 45, 1632

203] cl. 82, 91

Irish Land, Comm. cl. 3, [200] 1288

Licence Duties—Farm Horse Licences, [199] 174

Palace of Westminster—Case of Mr. Edward Barry, Res. [201] 720

Representation of the People Acts Amendment, 2R. [202] 159

Supply—Patent Office, [203] 377

Vagrants, Police Regulation of, Res. [201] 655

## War Office Bill

(*Mr. Cardwell, Captain Vivian*)

- 199] c. Motion for Leave (*Mr. Cardwell*) Feb 15,  
390; Bill ordered, after short debate; read 1<sup>o</sup>\*  
[Bill 30]  
. Bill read 2<sup>o</sup>, after short debate Feb 24, 779  
. Committee—r.p. Feb 25, 858  
Committee\*: Report Feb 28  
200] Moved, "That the Bill be now read 3<sup>o</sup>"  
April 25, 1742  
Amend. to leave out "now," and add "upon  
this day six months" (*Mr. Joshua Fielden*);  
after debate, Question put, "That 'now,'  
&c.;" A. 80, N. 6; M. 74; main Question  
put, and agreed to; Bill read 3<sup>o</sup>  
l. Read 1<sup>a</sup>\* (*The Lord Northbrook*) April 29  
201] Bill read 2<sup>a</sup>, after debate May 3, 86 (No. 74)  
. Committee, after short debate May 10, 454  
. Report May 12, 570 (No. 92)  
Read 3<sup>a</sup>\* May 13  
Royal Assent June 20 [33 & 34 Vict. c. 17]

## Water Supply on Sunday (Metropolis) Bill

(*Mr. Stapleton, Colonel Stegney, Dr. Brewer*)

- a. Motion for Leave (*Mr. Stapleton*) April 5,  
[200] 1368; after short debate, Bill ordered;  
read 1<sup>o</sup>\* and referred to the Examiners of  
Petitions for Private Bills

## Waterford Election Petition

Questions, Mr. Chichester Fortescue, Mr.  
Bouverie; Answers, Mr. Matthews, Mr. C.  
Forster June 30, [202] 1208.

## WATERHOUSE, Major S., Pontefract

Army Estimates—Land Forces, [199] 1231

## WATERS, Mr. G., Mallo

Sligo and Cashel Disfranchisement, 2R. [202]  
314

## WAYS AND MEANS

Considered in Committee April 11, [200] 1607—  
Financial Statement of the Chancellor of the  
Exchequer on moving the First Resolution,  
"That, towards raising the Supply granted  
to Her Majesty, on and after the undermen-  
tioned dates, in lieu of the Duties of Customs  
now charged on the articles undermentioned,  
the following Duties of Customs shall be  
charged thereon, on importation into Great  
Britain or Ireland, viz.:—on and after the  
2nd day of May, 1870—Sugar, viz.:—Candy,  
Brown or White, Refined Sugar, or Sugar  
rendered by any process equal in quali-  
ty thereto, and manufactures of Refined  
Sugar . . . . . the cwt. 0s. 6d.;  
"On and after the 13th day of April, 1870,—  
Sugar not equal to refined:—  
[Then the several Articles are set forth]  
"And that the said Duties shall be paid on the  
weights ascertained at landing"  
After long debate, Motion agreed to; other  
Resolutions agreed to  
Ordered, "That the Report of the Resolutions  
of the Committee of Ways and Means do  
take precedence of the Notices of Motions"  
(*Mr. Gladstone*) April 12  
Resolutions reported April 12, 1719; after  
short debate, Resolutions 1 to 6 agreed to  
Resolution 7 (*The Gun Licence*); after further  
short debate, agreed to

## Ways and Means—cont.

Subsequent Resolutions read a second time, and  
agreed to  
Bills ordered (*Mr. Dodson, Mr. Chancellor of  
the Exchequer, Mr. Stansfeld*)  
Considered in Committee April 25, 1731;  
Resolutions 1 to 17 agreed to  
Resolutions reported April 26  
Considered in Committee August 2, [203] 1486  
Resolved, That, towards making good the  
Supply granted to Her Majesty, the sum of  
£24,281,493 be granted out of the Consoli-  
dated Fund of the United Kingdom of Great  
Britain and Ireland  
Resolution reported August 3

## QUESTIONS thereon

*Financial Statement, The*, Questions, Mr.  
Clandish, Mr. Grieve; Answers, The Chan-  
cellor of the Exchequer Feb 14, [199] 244  
*Drawback on Sugar*, Question, Mr. Crawford;  
Answer, The Chancellor of the Exchequer  
May 26, [201] 1409  
*Duty on Carriages*, Questions, Mr. C. S. Read,  
Sir George Jenkinson; Answers, The Chan-  
cellor of the Exchequer May 19, [201] 970  
*Errand Boys*, Observations, Mr. Bourke; Re-  
ply, Mr. Stansfeld; short debate thereon  
July 15, [203] 349  
*Excise Licences, for Horses, Dogs, &c.*, Ques-  
tion, Mr. Barnett; Answer, The Chancellor  
of the Exchequer Feb 28, [199] 878  
*Farm Horse Licences*, Questions, Mr. Milbank,  
Mr. Walter; Answers, The Chancellor of  
the Exchequer Feb 11, [199] 174; Questions,  
Mr. Hanbury-Tracy, Mr. M. T. Bass; An-  
swers, The Chancellor of the Exchequer  
May 24, [201] 1273  
*Hawkers' Licences*, Question, The Earl of  
Airlie; Answer, The Earl of Morley May 13,  
[201] 623  
*House Tax*, Moved, "That the House Tax is  
unequally and unfairly assessed, imposes un-  
necessary restrictions upon the construction  
of buildings specially adapted for the working  
classes, and ought to be repealed" (*Mr.  
Alderman W. Lawrence*) April 5, [200] 1374;  
after short debate, Motion withdrawn  
*Income Tax*, Question, Mr. Whalley; Answer,  
The Chancellor of the Exchequer Feb 18,  
[199] 531  
*Income Tax Collection*, Question, Mr. Gilpin;  
Answer, Mr. Stansfeld Mar 7, [199] 1367  
*Income Tax on Charities*, Question, Sir Charles  
Wingfield; Answer, The Chancellor of the  
Exchequer Mar 8, [199] 1480  
*Inspectors of Taxes—Retirement Allowances*,  
Question, Sir Henry Hoare; Answer, Mr.  
Stansfeld July 11, [203] 36  
*Licences for Carriages Lent*, Question, Mr.  
Salt; Answer, The Chancellor of the Ex-  
chequer July 22, 784  
*Licences for Horses Employed in Drawing  
Road Materials*, Question, Mr. Welby; An-  
swer, The Chancellor of the Exchequer  
June 20, [202] 492  
*Licences for Parish Horses*, Question, Mr. W.  
Lowther; Answer, The Chancellor of the  
Exchequer Feb 25, [199] 799  
*Male Servant Duty*, Question, Sir Harry Verney;  
Answer, The Chancellor of the Exchequer  
Mar 15, [199] 1062

[cont.

[cont.



*Ways and Means—cont.*

*Maltng Regulations*, Question, Mr. G. Milles ; Answer, The Chancellor of the Exchequer *May 6*, [201] 324  
*Spirit Licences*, Question, Mr. M'Carthy Down- ing ; Answer, Mr. Bruce *Feb 28*, [199] 884  
*Stamps upon Leases*, Question, Observations, Mr. Bourke ; Reply, The Chancellor of the Exchequer ; short debate thereon *Feb 25*, [199] 832

SUMMARY.

WAYS AND MEANS.

GRANTS OUT OF THE CONSOLIDATED FUND.

|                                                                                                                                 | £           | s. | d. | £          | s. | d. |
|---------------------------------------------------------------------------------------------------------------------------------|-------------|----|----|------------|----|----|
| For the service of the years ending 31st March 1869 and 1870, and for preceding years ; Under Act 33 Vict. cap. 5. s. 1. ... .. | 564,191     | 7  | 2  |            |    |    |
| For the service of the year ending 31st March 1871 ; viz.                                                                       |             |    |    |            |    |    |
| Under above Act, s. 2. ... ..                                                                                                   | 9,000,000   | 0  | 0  |            |    |    |
| Under Act 33 Vict. cap. 31. ... ..                                                                                              | 9,000,000   | 0  | 0  |            |    |    |
| Under 33 & 34 Vict. c. 96 ... ..                                                                                                | 24,281,493  | 0  | 0  |            |    |    |
|                                                                                                                                 |             |    |    | 42,281,493 | 0  | 0  |
| Total ...                                                                                                                       | £42,845,684 | 7  | 2  |            |    |    |

WEDDERBURN, Sir D., *Ayrshire, S.*

*Annuity Tax Abolition* (Edinburgh, &c.) Act Amendment, Lords Amendts. Amendt. [203] 1566  
*Canada* (Guarantee of Loan), 2R. Amendt. [203] 1257  
*East India Revenue Accounts*, Comm. [203] 1658  
*India—Income Tax*, [201] 1945  
*Railways*, [199] 1744  
*Poaching Prevention Act Repeal*, 2R. [202] 1557  
*Public Prosecutions*, Motion for a Committee, [201] 465, 480  
*Scotland—Scotch Bills*, [202] 1360  
*Truck Acts*, [200] 1964 ; Motion for a Commission, [203] 152, 1099  
*Turkey—Sporades Islands*, [200] 1169

WEGUELIN, Mr. T. M., *Wolverhampton*  
*India—Indian Artillery*, The late, [203] 953

*Weights and Measures*

Question, Mr. J. B. Smith ; Answer, Mr. Shaw *Lefevre Feb 22*, [199] 692  
*Metric*, Question, Mr. J. B. Smith ; Answer, Mr. Shaw *Lefevre July 14*, [203] 248

WELBY, Mr. W. E., *Lincolnshire, S.*

*Army—13th Lincolnshire Rifles*, [201] 1941  
*Customs and Inland Revenue*, Comm. cl. 6, [201] 1802 ; add. cl. 1814  
*Elementary Education*, Comm. cl. 65, Amendt. [203] 53  
*Horses drawing Road Materials*, Licences for, [202] 492

*Wellington's, Duke of, Monument*

*Motion for Correspondence* (*The Earl Cadogan*) *April 5*, [200] 1280 ; after short debate, Motion agreed to  
*Question*, Mr. Beresford Hope ; Answer, Mr. Ayrton *August 9*, [203] 1732  
*Moved*, "That the Correspondence with respect to the Wellington Monument, as laid upon the Table of this House, does not furnish sufficient data whereby this House can form an opinion upon the circumstances of the case" (*Mr. Newdegate*) *August 10*, 1773 ; after short debate, Motion withdrawn  
*Copy ordered*, "of all further Correspondence relative to the Wellington Monument between Mr. Penrose or Mr. Stevens with any Department of Her Majesty's Government up to the present time" (*Mr. Newdegate*)  
Return—P. P. [186]

*Wesleyan Ministers in Military Prisons*

*Question*, Mr. M'Arthur ; Answer, Mr. Bruce *April 7*, [200] 1428

WESTBURY, Lord

*Attorneys and Solicitors Remuneration*, Comm. cl. 4, [201] 1920  
*Ecclesiastical Courts*, 2R. [200] 64  
*Felony*, 2R. [201] 1688  
*High Court of Justice*, 2R. [200] 176 ; Comm. 2046 ; [201] 1571 ; Report, 1925 ; 3R. [202] 319  
*Irish Land*, Comm. cl. 1, [202] 753  
*Judges Jurisdiction*, 1R. [199] 523  
*Judicial Committee of the Privy Council*, [202] 952 ; Motion for an Address, 1283, 1297, 1299  
*Lowry, Mr.*, Appointment of, [201] 1763  
*Marriage with a Deceased Wife's Sister*, 2R. [201] 930  
*Married Women's Property*, 2R. [202] 606, 622  
*Naturalization*, 2R. 1133 ; Comm. cl. 2, 1605, 1608 ; cl. 5, ib. ; Amendt. 1609, 1611, 1614 ; cl. 6, 1615 ; cl. 8, 1616  
*Report*, add. cl. 65  
*Commons Amendts.* Amendt. 391  
*Sequestration*, 2R. [201] 802 ; 3R. [202] 953

*West Coast of Africa*

*Medical Officers*, Observations, Mr. Raikes [House counted out] *June 14*, [202] 128

*Western Australia—Free Emigrants*

*Question*, Sir James Lawrence ; Answer, Mr. Monsell *Feb 14*, [199] 241 ; *Mar 4*, 1239

*West Indies*

*Jamaica—The late G. W. Gordon*, Question, Sir Charles W. Dilke ; Answer, Mr. Gladstone *April 4*, [200] 1169  
*Nevis—Colonial Secretary*, Question, Mr. Peek ; Answer, Mr. Monsell *April 11*, [200] 1603  
*Virgin Islands, Cession of, to Spain*, Question, Sir William Galloway ; Answer, Mr. Monsell *July 14*, [203] 240

**WEST, Mr. H. W., Ipswich**

Bridgwater and Beverley Disfranchisement, 2R. [200] 1801  
Edmunds, Mr. L., Motion for a Paper, [203] 511  
Irish Land, Comm. cl. 8, [201] 400; cl. 14, 426  
Metropolis—Thames Embankment, Motion for an Address, [202] 1780  
Public Prosecutors, 2R. [201] 242  
Supply—County Courts, [203] 993

**WHALLEY, Mr. G. H., Peterborough**

Army—Cadetships at Sandhurst, [199] 1870  
Army—Kirwee Prize Money, Motion for an Address, [201] 1540  
Belgium—Neutrality of, [203] 1745  
Canada—Fenian Conspiracy, [201] 1495  
Galt, Sir A. T., [200] 324, 574  
Red River Settlement, [200] 78, 1431;—Disturbances at, [201] 1093  
Capital Punishment, [200] 1428  
Commutation of Sentences—Case of Jacob Spinasa, [200] 2103  
Conventual and Monastic Institutions, Motion for a Committee, [200] 2038; Nomination of Committee, [201] 75, 83, 534  
Elementary Education, Leave, [199] 498; Comm. cl. 7, [202] 1047; cl. 10, 1234; cl. 27, 1413  
Foreign Enlistment, Comm. cl. 21, [203] 1513  
Friendly Societies, Leave, [199] 160  
Gun Licences, 3R. [203] 765  
Income Tax, [199] 531  
Ireland—Local Taxation, Motion for a Committee, [202] 127  
Irish Land, 2R. [199] 1419; Comm. cl. 41, [201] 750, 771  
Metropolis—Water Supply in, [201] 1495  
Peace Preservation (Ireland), 2R. [200] 485; Comm. cl. 30, 684; Consid. cl. 2, Amendt. [703]  
Permissive Prohibitory Liquor, 2R. [203] 183  
Poor Relief (Metropolis), Leave, [199] 581  
Processions (Ireland), 2R. [202] 1690  
Railway Construction Facilities Act Amendment, Leave, [199] 191  
Supply—Civil Service Estimates, [199] 1575  
Truck Acts, Motion for a Commission, [203] 151  
Turnpike Acts Continuance, [203] 801  
Turnpike Tolls, [199] 174; Res. 551  
Vagrants, Police Regulation of, Res. [201] 651  
War Office, Leave, [199] 402  
Ways and Means—Financial Statement, [200] 1679

**WHATMAN, Mr. J., Maidstone**

Canada Railway Loan, Res. [201] 1850

**WHEELHOUSE, Mr. W. St. John, Leeds**

Coinage Contracts, [201] 1875  
Education of the Blind, &c. 2R. [201] 246  
Elementary Education, Leave, [199] 479; Comm. cl. 46, [202] 1660; cl. 65, [203] 63; add. cl. 268; Consid. cl. 23, 495  
Extradition, 2R. [202] 305  
Medical Officers Superannuation, 2R. [202] 724  
Permissive Prohibitory Liquor, 2R. Amendt. [203] 181  
Supply—Post Office, [203] 1252  
Post Office Telegraph Service, [203] 1255  
Royal Parks, [203] 915  
Vagrants, Police Regulation of, Res. [201] 654

**WHITBREAD, Mr. S., Bedford**

Contagious Diseases Acts Repeal, Leave, [203] 590  
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*c.* Acts considered in Committee; after debate, Bill ordered; read 1<sup>o</sup> \* *April* 7, [200] 1493  
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*l.* Read 1\* (*The Marquess of Salisbury*) *May* 23  
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Women's Disabilities Bill

(*Mr. Jacob Bright, Sir Charles W. Dilke, Mr. Eastwick*)

*c.* Motion for Leave (*Mr. Jacob Bright*) *Feb* 16, [199] 407; Bill ordered; read 1<sup>o</sup> \* [Bill 31]  
Moved, "That the Bill be now read 2<sup>o</sup>" *May* 4, [201] 194  
Previous Question moved (*Mr. Scourfield*); after long debate, previous Question put, "That that Question be now put;" A. 124, N. 91; M. 33; Division List, Noes, 240; main Question put, and agreed to; Bill read 2<sup>o</sup>  
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Jacob Bright*) *May* 12, 607

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[*cont.*

*Women's Disabilities Bill*—cont.

Amendt. to leave out from "That" and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Bouverie*); Question proposed, "That the words, &c.;" after short debate, Moved, "That the debate be now adjourned" (*Mr. Eastwick*); after further short debate, Motion withdrawn; Question put, "That the words, &c.;" A. 94, N. 220; M. 126; words added; main Question, as amended, put, and agreed to; Bill put off for six months

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ERRATA.

In Volume [200] p. 201, line 6 from bottom, for Mr. Stopford, read Mr. Sackville-Stopford  
" " " p. 1806, line 2 from bottom, for Mr. Reed, read Mr. Clare Read.

END OF VOLUME CCIII., AND FIFTH AND LAST VOLUME OF  
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